



AKWESASNE NOTES

"WHERE THE PARTRIDGE DRUMS"

Volume 6
Number 2

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WHO EATS
OUR LAND?
at
Black Mesa
Tesuque
James Bay
Bear Butte
Lame Deer
Alaska
Pipeline
Havasupai

People: I don't think we should use this cover. ↑ While it is fashionable to blame large corporations for consuming Indian land and water, and while it's true they do, we fail to realize that the European/American life-style itself is the ultimate consumer — the corporations are the harvesters. People can look at the cover, sitting in comfortable suburbs, and say "Evil Corporate Power Structure" but continue to be outraged if there is a gas shortage or if there isn't enough water for their lawns. Indians, too, need to understand that by adopting European life-styles, they place themselves at the mercy of the very corporations they condemn.

Why not show the American consumer's addiction by showing land, trees, earth, rivers, connected to a hypodermic syringe, labelled "more and more", being administered to a consumer junkie by a corporate pusher.

— Rarihokwats

Rogers Morton busts the Great Feather Ring in Oklahoma as native people bury their bustles . . . p.37
Pit River Nation Again Heads for Supreme Court in Effort to Regain California Lands . . . p.36

James Bay Labor Strife Halts Flooding of Cree and Inuit Lands. Court Actions Continuepage 28
WOUNDED KNEE TRIALS CONTINUE — ONE SET WINS ACQUITTAL, ANOTHER BRAVES POLICE RIOT. FBI MISCONDUCT PROVED
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Mohawk's Extend Nation to Forest Lands p. 19
NINE NATIVE MEN FOUND KILLED IN GALLUP/FARMINGTON, N.M., AREA p.20



HOW IT IS WITH US:

The summer months are upon us: that's traditionally a slow time for our finances. So we make a special appeal for all readers to pay any outstanding bills, to send in a donation for printing you may have been putting off for a while, to get extra issues to sell at powwows and special events. Just don't forget us.

We still have a backlog of news we are trying to get out: important news on Havasupai, San Carlos, about adoptions and education. We hope to get the next issue out as soon as possible.

We still have not expanded into new quarters. The place we had in mind had some unforeseeable problems, but we continue to seek out the right spot. We have been encouraged by the help which we have been offered, and we hope to soon have the right set-up so that we can improve our services.

A wet spring slowed down our planting, but the Creation has been good to us. The gardens dried out and many acres are now planted in corn, beans, squash, potatoes, carrots, tomatoes, peppers. We are grateful to all who sent seeds — in the fall, we hope to get started in planting orchards. It is our hope to be 100% self-sufficient for our food supply, and to help supply our elders, our festivals, and those in need with our share of help. There is still more land to prepare for next summer, and all visitors are now being handed a hoe as they walk in the door.

The associate editor of NOTES, Kanatakeniate, was convicted on charges of draft evasion and sentenced to two years probation in U.S. District Court in May. Kanatakeniate is working with attorneys to prepare an appeal. His refusal to submit to the armed forces was based on the sovereignty of the Mohawk Nation, as well as the fact that his membership and residence

with Canadian-side Mohawks makes the U.S. intrusion all the more objectionable.

His arrest seemed part of the Nixon Administration drive to punish young men who resisted the war, but most District Court judges have refused, tacitly, to take part in the campaign of reprisals, by refusing to send convicted men to jail. A Justice Department memo in May, 1972, advised U.S. Attorneys how to select candidates for vigorous prosecution from among the violators — special attention was given to those who had engaged in peace actions.



Kanatakeniate (Wolf Clan) . . . NOTES associate editor

Kanatakeniate was sentenced by U.S. District Judge James Foley to "perform voluntary work in the national interest" for a two-year probationary period.

TO SUBSCRIBE

There is no fixed subscription price. But that does not mean this paper is free. Printing alone for this issue costs over \$4,000, and typewriters, ribbons, postage, glue, etc., will add another \$1,000 — and that doesn't include costs of keeping full-time staff alive.

Some people have lots of money, others have none. If you want the paper, we'll be glad to send it to you. If you want to help with the costs, we will appreciate that — that's the Indian way. Make it work.

Another issue will be ready for mailing as soon as funds for printing have been received. And since we have no grants, no other sources of finances, we must depend on you, the readers for our survival

MOVING? PLEASE SEND US YOUR CHANGE OF ADDRESS — it saves us money and avoids loss of your copy.

(be sure to include your old address and zip code — and your new zip code, too)

HELP US TO DISTRIBUTE AKWESASNE NOTES

. . . ask your local/college bookstore or newsstand to carry a few copies . . . leave some papers at a food co-op, daycare center, workplace, tribal office . . . sell the paper on the reservation, at Indian meetings, church, on campus, on the street. We'll send a bundle on consignment and you send us 35 cents for each copy sold. Or order a packet of 6 for \$2 prepaid or 20 for \$5 prepaid. **GET THE WORD OUT!**



NEEDED FOR NOTES:

- blankets, pillows, sleeping bags
- file cabinets
- portable clothes racks
- sturdy tables and chairs
- used tarps, canvas, rugs
- tools of all kinds
- seeds & roots for planting; perhaps seed houses or nurseries in your area have surplus stock available, including berries, fruit and nut tree seedlings
- lamps
- a ditto machine

Keep Us Strong!

This paper cannot exist without the support of its readers — you, the human beings who read these words. There are many ways you can keep the paper alive and strong:

take action on what you read. Write letters, think, give support, change, lend spiritual help.

send clippings from your local papers. If there is a good photo, try to get a glossy print from the paper's photo department. Date and identify all clippings.

send us your own materials — articles, essays, book reviews, editorials, letters, poems, photos, tapes. All can be returned upon request.

take the responsibility of covering an event for NOTES and send a completed article, or simply information and interviews, in writing, or on tape. We can send a press card upon request.

send us mailing lists — we will send sample copies of the next issue. How about a list of tribal members? addresses from an Indian urban center? of Indian college students?

sell the paper at a powwow, meeting, church, on your reservation, at the Indian center, in bookstores, in town, and on campus. You send us 35 cents for each paper after and if they are sold. Great for consciousness-raising, too. Educate your community.

let us know of people who should have the paper — native people in institutions, friends, anyone who may want to read NOTES.

check at your local city, county, community, university, high school LIBRARIES to see if they have a paid subscription to NOTES. If they don't suggest that they get one. Suggest too that they order books from NOTES to boost their selection of native materials.

form a committee — or go by yourself — to check bookstores, poster shops, gift stores, tobacco shops. If they don't know about our books, crafts, or smoking mixtures, tell them to write — or send us their addresses. Follow up in a month.

You can be a participant in the native causes by helping to spread the word, to create alternatives, to inform. NOTES is a part of that. You can work together with us, from your own area, no matter how far away that might be in miles. Everything in this issue of NOTES came from someone who cared to send it in. And to you all, we are grateful.

We are grateful to a Mohawk grandfather, Richard Thorpe, of Oregon, who has deeded his property to NOTES for development as a wildlife preserve and a center for native craftsmen and traditionalists. NOTES people on the west coast will see that his wishes are respected, and that his much-loved land will have traditional custodians and that his foundation of craftsmanship will be continued.

Especially thanks this month to Curtis W. Lacy of Loudonville, New York, for his thoughtful remembrances of our needs here at NOTES.

We are grateful, too, to the United Methodist Voluntary Service for providing our full-time staff people with insurance to cover doctor's and hospital bills.

Next winter, we hope to produce a special issue of NOTES on the native people of this continent who live south of the U.S. border. We plan to take several months to visit, share, participate. Persons with information, suggestions, ideas, resources, etc., are invited to write so that we can plan the venture well.

One way NOTES could be more helpful is to carry articles from people who have knowledges or skills they would like others to know about. So, if you know how to smoke fish, or make a cradleboard, or get an early start on a corn crop — any skills for a natural life — and if you can explain it clearly and would like others to know about it, why don't you write about it for us, or send us a tape explaining in your own words?

A greeting, to all of you people who help us in so many ways — we are grateful to you all.

— from the people whose full-time lives revolve around NOTES at Akwesasne, including Connie, Doug, Rarihokwats, Karoniaktatie, Pegi, Susi, Kanatakeniate, Coyote, Kaheréhare, Raosennawane, Kahratohen, Lavina, Gayle High Pine, Jon Lerner, Francis Estrella, Katsitsiakwa, Eddie Bennett, Debbie House of the Oneida Nation. Thanks also to Calley Hawkins and Mickey Posluns.



**AKWESASNE
NOTES**
WHERE THE PARTISAGE DRUMS

AKWESASNE NOTES is the official publication of the Mohawk Nation at Akwesasne (People of the Longhouse) and contains (from time to time) the Longhouse News, the official publication of the Mohawk Nation at Caughnawaga.

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DO YOU HAVE A RED LABEL?

Look at the front page — check your address label. If it is marked in red, this is the last issue you will receive unless we hear from you. We hope you won't be angry — this is the only way we have of cleaning up the mailing list every so often since there are no paid subscriptions.

This month, it is many of those whose zip codes begin with "0" and some in New York State, plus New Brunswick and some European nations, who will have red labels. **ALL YOU HAVE TO DO IS WRITE TO US** if you are red-labelled, and your name will be reinstated. This is not an appeal for money, although we would appreciate any support you might send.



WOLF



burrowing deep into earth until the grave is complete,
hiding in daytime shadows, panting,

sweat,
dry matted blood
and stump of a leg,
wolf, his growls into whimpers of pain unending.
she-wolf keening the stiffened, frozen cubs,
licking the frosted muzzles cyanide tracings,

sweet
the steaming meat
she gently places
as an offering, though she knows they are dead.
run down to earth and snow with bursting heart
down to the bright red hammering pulse, and further

down
one by one
the rifle shot
echo resounding a terrible, alien blood lust.
protruding, blackened tongues, no more the night chant,
blanket of sound, the earth her moaning,

futile,
her emptied womb,
and the seed
dried and rustling among forgotten leaves.



a wind of running leaves across the prairie,
a scent of pine in frozen north the muskeg
lakes

lent footprints
cast in sandstone
grains rubbing time the desert's constant edge.
softly contoured voices moaning night,
the wolves in circle council the moon
shadows

bent starlight
of fingered sleet
rattles the gourd of earth down feathered roots.

beyond beginnings the earth her many tribes
and clans their life songs merge into one
chant

welcome dance
to the unborn
awaiting birth in the sun-fingered dawn.
and to each creation the heartline trail
is etched in delicate memory pattern
webs

so intricate
in a unity
of day into night the seasons follow.
the moaning low of wolves to ears of men
first wisdom gained by another's quiet
song

of meditation
circle of council
bound together by their basic power.

and the quiet way of learning was the food
and spark the hearth of compassion warm
enveloping

all others
born of earth
in the harmony of mutual need.

in thanks the minds of curious men
sought further wisdom from the brother
wolf

his clan
a social order
of strength through lasting kinship.

and recognized the she-wolf's place
in balance with that of the male leader
heads

of family
to be obeyed
because their first law was survival.

and studied the pattern of the hunt
where each had a particular role
defined

by need
and acted upon
without the slightest hesitation.

and moaning low the wolf song
head bent the drummer and voice to sky
singer

in thanks
to brother wolf,
now your song we will sing in our voices.



again the rifle shot and snapping jaws
of steel traps and poisoned bait,
the bounty hunter and fur trapper
predators
of greed

whose minds create vast lies.
and moaning low in death chant
the one remaining wolf staggers
and falls
to death

as winds carry his voice into tomorrow.

and the voice is an accusation howling
within the brain heart pulling sinews
harshly

you, too,
I hang my death about your neck in circle.

mourn the buffalo and the beaver,
keen the fox and mountain cat,
shout

the grizzly
antelope elk moose caribou and many
more gone into death the prime breeders
to fashion garments of vanity,

Indian,
brother,
cleanse the blood lust from your naked spirit

and fast and pray your spirit's new growth
and be reborn into childhood innocence
purity
our maker

awaits your ancient promise.

the wolf in dream has petitioned
for his voice to be heard in council
now

in this place
let us open our minds.



scattered and lost the people fall,
orphaned, the child feels hunger,
where is tomorrow,
where does it hide?

there are four voices coming
from four directions

the center is harmony,
the center is beginning.
scouts and messengers called back,
the council is the mind
it is merging thought
the nation's birth.

now when warriors feast,
they eat of embers
the fire's heat
stored energy.

the warrior society
is the wolf society
is the clan family
heart of tribe.
anger seeking wisdom,
council after meditation
there is a vision
held in sacred trust.

I dance upon my three remaining legs,
look,
the memory of the fourth keeps my balance,
see,

my wispy white and cyanide fog-breath,
hah!

taut sinews vibrate the sky's held thunder,
huh!

steel traps I weave a necklace of your making,
hah!

puffs of dust I quick-stomp with paw feet,
huh!

I am becoming you dancing for them,
hah!

I jump upon your back a heavy robe,
huh!

my shadow will nip your pumping ankle,
huh!

you will think you me in the full moon night,
huh!

I crush your long bones sucking marrow,
nose your severed head before me the trail,
tear strips of flesh the ribbons weave a net,
chew hair and fingernails into mash

I slap upon my festered stump your human glue,
hah!

now you are dancing,
brother,

now you are dancing.

— blue cloud

jan 28, 1974

hawk circle, sonoma

to say to wormwood

Niawen
okwari
tsi ise sawen
ne ki
ononkwa

Thank you
bear
that it's yours
this
medicine

Niawen
Rawenniio
tsi tsienteri
ne okwari

Thank you
Creator
that you know him
the bear

Niawen
ohontsia
tsi saterientare
tsi niot

Thank you
earth
that you know
how it is

Niawen
orakwa
tsi senoronkwa
ne eksakonwa

Thank you
sun
that you love
the children

— Blue Cloud

stone four ants
stone will walk
stone all around
stone this stone
stone four others
stone will join
stone them more
stone to walk
stone so many
stone many ants
stone but only
stone one stone

— Aroniawenrate

POETRY PEOPLE

BLUE CLOUD / ARONIAWENRATE is a Mohawk poet originally from Kanawake, now living in California. He has been a long-time inspiration to native peoples and we are honored that he chooses NOTES frequently to publish his work. He was a prime mover in the Alcatraz Liberation, detailing that important event in poetry and editing "Alcatraz is Not an Island." "Wolf" is the last poem in a series on the three Mohawk clans. "Bear" and "Turtle" have appeared in previous issues of NOTES.

JOHN BRANDI is a poet living in Guadalupe, New Mexico. He has been in NOTES before with his verses reflecting Indian life in Ecuador. His book, "Chimborazo: Life on the Haciendas of Highland Ecuador", is now being prepared for publication by AKWESASNE NOTES. His poem in this issue comes from the Inuit of Alaska.

DOLLY BIRD's poetry appeared in some of the first issues of NOTES. She lives in New York state now. Her poetry touches many people. Some of her work from NOTES also appears in Walter Lowenfel's anthology, "From The Belly of the Shark."

ROSS LAURSEN is an inmate at Folsom Prison in California where he is chairman of the Creative Writing Workshop. Some of his work is in Mother Hen's publication, "Poets and Writers in Folsom Prison." He is a prolific writer, and his journalism with the Folsom Observer has won awards. He is currently appealing his conviction on a charge of kidnapping on the grounds he was framed. At 6'2" and 306 pounds, he has a good chance of defending his title of Comanche-Viking Poet of the World. His poem in this issue was first published in an article, "A Tribute to Jailed Poets" and also by Gypsy Table V Magazine, 1974, by the Mother's Hen people. His address is Box B 26430, Represa, California 95671.

PINEAPPLE WHITCOMB, a native poet of Hawaiian descent, lives in Ohio. She has been a regular contributor to NOTES since 1972. She was invited to a Women's Workshop in Amherst, Massachusetts, recently, after organizers saw her work in NOTES.

WALKING BEHIND / HISTOKWEYAHMAY-YAH is a Southern Cheyenne poet living in Tulsa, Oklahoma. This is the first time his work has appeared in NOTES.

KARONIAKTATIE is poetry editor of NOTES. His first book, "Native Colours," is now at the printers and will be ready soon. His work has been widely reprinted in the native press and in several anthologies.

WOUNDED KNEE TRIALS CONTINUE

A SPECIAL SIXTEEN-PAGE SECTION FROM ST. PAUL, SIOUX FALLS, PIERRE, LINCOLN, AND ELSEWHERE
WHAT YOU ALWAYS WANTED TO READ IN YOUR LOCAL PAPER BUT COULDN'T FIND THERE

THREE WOMEN ACQUITTED OF CHARGES AS U.S. FAILS TO PROVE ITS CASE

Sioux Falls, South Dakota — Three native women charged with burglary and larceny in connection with alleged looting of the Wounded Knee Trading Post on the night of the 1973 occupation were acquitted in U.S. District Court here May 28.

They are Tonia Ackerman, Lorelei Decora Means, and Madonna Gilbert. Theirs was the third federal trial held in Sioux Falls on Wounded Knee charges — and the third in which the U.S. has failed to win a conviction.

When the prosecution rested its case, the defense moved for acquittal on the grounds that the U.S. had not proved its case. The women were discovered in a car with goods taken from the trading post on the same day. Judge Warren Urbom ruled that there was no demonstrative evidence connecting the women with the burglary and larceny.

The U.S. had argued that the charges were based on circumstantial evidence — the possession of recently stolen goods which "common sense" would connect with the crimes charged. However, Judge Urbom said, "I rely entirely on the evidence before me."

In the first of the Sioux Falls cases, the government dropped charges against four people charged with burglary and larceny on the grounds that it could not find the federal agent who had arrested the people. In the second case, Urbom granted a defense motion to suppress evidence against Marianne Decora [Lorelei's sister] and Vaughn Dix Baker. The U.S. had, Judge Urbom ruled, obtained the evidence in an illegal search, and the prosecution was forced to drop the case.

The trials will now move to Lincoln, Nebraska, where Judge Urbom regularly holds court. He has agreed to handle all the legal proceedings arising from the "non-leadership" cases.

The three waived their rights to a jury trial, saying that it would be impossible to get a fair and impartial jury in South Dakota anyhow. They are charged with burglary and larceny of the trading post in the takeover of Wounded Knee.

The trial of the women was suspended while the dismissal motion continued in St. Paul, since dismissal by Judge Nichol on grounds of government misconduct would have meant dismissal of their case as well.

Judge Urbom denied a motion to dismiss the charges on May 1, although he reserved judgment on defense allegations that the U.S. has failed to make available certain required evidence to the defense. He also denied the defense permission to examine FBI records and informant files relating to Wounded Knee, but said he would keep a close eye on the St. Paul trials to see if the FBI was coming through with information as required by court order.



Tonia Ackerman . . . Case Dismissed

When Wounded Knee trading post owner James Czywczynski appeared to give evidence, he invoked the Fifth Amendment — the right not to incriminate himself — over 90 times during questioning by defense attorneys May 14.

Chief defense attorney Joe Beeler sought to establish that since the trading post was operating on the Pine Ridge Reservation without a license in violation of an 1834 federal law governing trading practices, there was an "automatic forfeiture of all goods of the traders."

Shortly after the defense began the questioning, Judge Urbom cautioned him about the possibility that he would incriminate himself, and advised him of his right to have his attorney present during questioning.

Among the questions he refused to answer after he returned to court with his lawyer were:

— when you sold goods to Indians, did you add interest charges if the bill was not paid in cash?

— did you charge Indians interest at a rate higher than you charged non-Indians?

— did you charge interest on the account balance of Indian customers at a rate in excess of 45%?

The defense also asked questions in an attempt to determine whether the trader may have been offered any promises by the U.S. in return for his testimony.

Czywczynski completed his testimony May 15 after five days on the witness stand. Judge Urbom reserved a ruling on the motion made by defense attorney James Shellow of Milwaukee, Wisconsin, that the charges be dismissed on the grounds that Czywczynski was illegally in operation, and thus did not come under the protection of the law.

In an unusual situation for a courtroom, Judge Urbom permitted defense attorney John Thorne to lecture the court for two hours on historic relationships between Indians and the U.S. Government. Thorne discussed tribal government as it existed before the colonization of North America, and discussed governmental relationships with Indians during administrations from Jefferson to Nixon.

"We [Europeans] in this country are continuously trying to justify what is immoral and what is wrong," he said. The judge listened attentively during the entire time.

Legal Burden Heavy in Many Courts

Judge Urbom recessed the trial at one point to receive a no-contest plea from Allen Cooper, a non-Indian who had been charged with armed assault on a federal official during the Wounded Knee occupation. Ten other charges were dropped by the U.S. when he entered the plea. He was the first defendant to enter such a plea in any of the Wounded Knee cases. His sentencing was deferred until the conclusion of the St. Paul trial of Means and Banks.

Additional cases await trial in Rushville, Nebraska, where Milo Goings and his cousin, Dick Genese, were allegedly attacked by a group of goon squad people who shot at them — but it was the two AIM members who ended up in jail.

Some legal matters are still pending in Scottsbluff, Nebraska, arising out of charges filed during an Indian/Chicano Unity meeting there in January, 1973.

There are 50 or so cases still awaiting action in Rapid City for alleged crimes which took place between the Custer confrontation and the Wounded Knee occupation. Most of these arose from a near-riot when native people were attacked in several bars, and proceeded to close down those establishments.

Tribal court at Pine Ridge also is holding scores of cases for trial.

(Thanks to Marty Anderson of the Militant.)

INTERNATIONAL TREATY MEETING HELD BY AMERICAN INDIAN MOVEMENT

Fort Yates, North Dakota — The American Indian Movement will hold its annual convention and International Treaty Meeting June 8-16 on the Standing Rock Reservation here. The site will be near the Chief Gall Inn near Mobridge, South Dakota.

While some people were nervous about the AIM presence on the reservation, Russell Means told the tribal council at its meeting March 26, "As an Indian person, I won't allow anyone to shame it."

Harriet Skye, writing in the *Standing Rock Star*, said that while it should be clear that the tribal council was not sponsoring the conference, "they have done what should have been done years ago — and that is making it possible to discuss treaty responsibilities of the federal government to tribes involved in specific treaties."

The Indian Claims Commission ruled on February 17 that the Black Hills were taken illegally by an 1877 Act of Congress, and that the U.S. must pay "just compensation" in the amount of \$17,000,000, plus accrued interest — a total of \$105-million. However, attorneys' fees and a return of funds which the U.S. has spent on the Sioux, would reduce the amount to just a few million.

Eight different Lakota groups are involved: Rosebud, Standing Rock, Oglala, Crow Creek, Lower Brule, Cheyenne River, Santee, and Fort Peck-Assiniboine.

The issue has been in the courts since 1923 — one of the lengthiest Indian litigations in history. Generation after generation of old-timers has died, awaiting their money from Washington for their land. Over 7-million acres of land were taken for which no compensation had been paid.

The Standing Rock Council has been a strong advocate of treaty rights. It passed a resolution March 26 demanding that the U.S. Government honor its 1868 Fort Laramie Treaty with the Great Sioux Nation.

"The Sioux have kept their promises," the resolution said.

The council resolved that the "leaders of the Great Sioux Nation as prescribed by said treaty are requested to immediately seek the aid and assistance of legal counsel, including experts in International Law, to institute action in any and all tribunals where enforcement of said treaty may be had. Such tribunals to be considered shall include, but not be limited to, the World Court at The Hague and the United Nations Committee on Colonialism."

The resolution stipulates that they are not seeking money damages but simply enforcement of the treaty.

Leading international lawyers, as well as representatives of several foreign countries, have indicated their intention to attend the convention.

The convention could also be important in choosing new leadership. Dennis Banks, 42, announced in April that he plans to retire from the demanding public life of an AIM leader. He said he intended to wind up his public affairs so he can return with his children to a life of trapping. Banks was a founder of AIM, and has been active throughout its existence. Russell Means has also talked of retiring so that he will have the time to set up a spiritual retreat for native youth so that they can deepen their understanding of the path humans must take in this life, and so that they will be with others who wish to share in that life-style.

AIM has had some internal problems, too, which will require attention. A memorandum signed by national

AIM leaders had appointed new leadership for the Oklahoma State AIM office. Excluded from the group was Carter Camp, one of the leaders of the Wounded Knee occupation, and national co-chairman of AIM until a series of serious misunderstandings and basic differences of opinion caused other AIM leaders to disavow Camp's leadership.

As a result, the Oklahoma AIM contingent announced June 1 it had withdrawn from the national organization, and barred national AIM leaders from coming to Oklahoma. Ben Hyatt said the actions were taken after a meeting attended by 46 Oklahoma AIM members denounced "dictatorship" from the national AIM office.



A weekend-long policy meeting at Cumberland, Wisconsin, at the end of May, was attended by more than 300 delegates from 20 states. Agreement was reached that the movement must shed elements that traditionally have given native people an uncomplimentary image.

"We are talking about the people who go into town and go into bars and cause confrontations, and people that are making presentations in Washington under the name of AIM," Dennis Banks said. He said each AIM chapter is expected to discard members whose behavior is detrimental to intertribal harmony. Banks announced then that the 13 chapters in Oklahoma had been dissolved.

COURT HEARS WIRETAP EVIDENCE



(What little interest the U.S. people had in the Wounded Knee trials was centered in St. Paul, Minnesota, where Judge Fred Nichol of South Dakota had moved his courtroom, agreeing with a defense motion that it would be impossible to get an impartial jury for Dennis Banks and Russell Means in South Dakota.)

The trial went into its fifth month in mid-June with the defendants expressing optimism that they would go free.

"I think we have proven what we said in our opening remarks, that the government was guilty of illegal acts prior to and during Wounded Knee," Banks said.

And Means added, "We've shown that the government is inept, especially through actions of the FBI. It's really the U.S. that's on trial, not us."

Two dozen motions asking dismissal of the case have been filed since the trial began. The revelations have been startling, amusing, tragic.

"Something new seems to come up every day," complained Judge Nichol.

The first month was needed to pick a jury, a month was needed to hear from 25 government witnesses, and then four weeks of a special hearing, with the jury excused, to determine defense charges of an illegal wiretap. The trial could easily go on for another year — the defense had not yet even begun to present its case.



In mid-March, a telephone company employee came forward with the story of installing an extension telephone on the line going into Wounded Knee, an extra phone conveniently located at one of the federal roadblocks. Judge Nichol professed horror at this revelation, sent out the jury, and held month-long hearings on the "illegal surveillance" question. Nichol was vehement at first in saying he'd drop the charges if illegal surveillance was proved, but as the hearings went on, his promise faded into the background.

The "telephone" hearings have been a mini-Watergate, with a parade of agent-infiltrators, cops, bureaucrats, and finks enmeshed in their own lies and contradictions. Indictment of tri-state FBI area head Joseph Trimbach for perjury has become a real possibility.

Washington Justice Department officials now have been proven to be part of this affair, and L. Patrick Gray, who replaced J. Edgar Hoover briefly, may yet prove to have disposed of the Wounded Knee documents along with the Watergate files.

Mainly, the dreary story is the same as Watergate — top law enforcement officials and those of other agencies, with the aid of federal prosecutors, engaged in a variety of illegal activities, suppressed and falsified evidence, lied about all of this, and lie some more as the truth starts to come out.

The FBI phone, incidentally, was no ordinary phone. A loudspeaker tolled out any calls being made on the line — even if the FBI phone was not off the hook.

Agent Gerald Bertinot told the court that he had "accidentally" overheard a conversation on the phone from a man who told a woman in California that he had been out planting land mines and booby traps. Bertinot said that from that point on, he felt it was his duty to listen in on the line. The New Orleans, Louisiana, agent said he had reported the conversation and two others he had heard to the agent in charge of the command post in the BIA building at Pine Ridge.

"Did he say to you, 'stay off that line — you're not supposed to listen in?'" defense attorney William Kunstler asked.

"No," Bertinot said, adding that he didn't even know which agent was in command at Roadblock 1 where he was stationed.

Kelley Memmert, Los Angeles FBI agent, testified he was with Bertinot in their car the night of March 5 and that he jotted down notes whispered by Bertinot. Bertinot later dictated a memo to a secretary.

Kunstler asked Bertinot if he were conversant in his FBI training of federal statutes against illegal wiretapping. He said he was vaguely aware of those laws.

Agent Susan Malone recalled having relayed another report of two overheard conversations on March 8. Mrs. Malone, San Francisco, was an unperturbed witness under the challenge of Kunstler and Lane. She said nobody ever told her what the phone was for, nor whether conversations could be overheard, nor was she curious to find out.

When the former Marine was asked by Kunstler to estimate the height of the floor of a van, she said she couldn't even make a guess.

"Weren't you trained at the FBI Academy about the necessity for accurate observations?" asked Kunstler.

Mrs. Malone said, "I don't believe that's pertinent." But the prosecuting attorneys assured her she should answer the question — then she said it was a part of her training.

FBI agents Lawrence Dick and Robert Harvey, both of the FBI Minneapolis office, said they had picked up the party-line phone to eavesdrop the night of March 6, 1973. Both men said they listened only briefly to personal conversations, and then hung up. They said they did not report the incident to their superiors at the time, and never were instructed to monitor the telephone. That made a total of five agents who said they had eavesdropped, but they all have denied being assigned to monitor the phone.

Among the conversations were those between attorneys and their clients. Defense lawyer Ramon Roubideaux took the witness stand March 22 to tell how BIA superintendent Stanley Lyman had assured him that the line was "clean."

Roubideaux said he spoke with Lyman in the BIA office, and "he told me I would have a private discussion with my clients if I used the phone from Wounded Knee." He added that it came as a complete "surprise" when he learned later there was a tap on the phone at a nearby roadblock.

Mark Lane said in his testimony that he had been assured by Kent Frizzell, the U.S. chief negotiator at Wounded Knee, that the phone line was not tapped.

Ironically, the U.S. had to pay the phone bill for all the calls made out of Wounded Knee. The bill was paid late in July, and totalled \$2,550.34. The prosecutors seized on this news as meaning that the U.S. was accused of bugging its own phone — and that is not illegal, they said. The defense countered that the callers had the right to privacy on the telephones, but the prosecution says the right to privacy was lost because the occupiers were trespassing in the trading post. And so the debate went, back and forth.

Originally, the prosecution had asserted that the main reason the phone had been installed was so that federal officials could negotiate with the occupation forces. But finally, as witness after witness took the stand, the prosecutors had to admit that the phone was useless for anything but eavesdropping.

Nichols noted that the U.S. had not produced a witness during the entire hearing who could testify about using the telephone for negotiations.

"I am not maintaining that the telephone was utilized on any regular basis for purposes of negotiation," Hurd said. "It was essentially useless at Roadblock One for any purpose other than overhearing."



The prosecution had to abandon its stance that the phones were useful for negotiations since no one could say how they could ring up the trading post phone, and didn't know the number for the complicated dialing procedure. And those in Wounded Knee couldn't have used the phone since they didn't know of its existence.

Also, the U.S. Chief Negotiator, Kent Frizzell, said he couldn't have used the phone for negotiations — he claimed he didn't even know it was there.

On March 27, the U.S. gave the defense an FBI teletype dated two weeks earlier in which an FBI agent from St. Louis said he issued instructions during the siege that the party line phone should not be used for eavesdropping. The agent, Thomas R. Parker, said he issued the instructions "in anticipation of accusations of illegal monitoring."

Parker said he issued his instructions while briefing a group of 20 to 50 agents in Pine Ridge. None of the agents who admitted listening in on the phone told of hearing any instructions.

Testimony was also given that six electronic eavesdropping experts were ordered to go to Wounded Knee in the first week of the occupation, a strange order if it was not the intention of the FBI to, in fact, illegally eavesdrop, for no application had yet been made to any court, under section 3 of the Omnibus Crime Control Act of 1968.

Earlier in the trial, under defense questioning, Trimbach had said, "I never participated in the making of an affidavit seeking a wiretap."

When Trimbach took the witness stand March 20, he said that when he told the court there were no wiretaps, "I was not even thinking of the extension telephone."

Trimbach, an 18-year veteran of the FBI, said he did not remember assuring Nichol a second time, in the FBI's Minneapolis office, that there had been no wiretapping at Wounded Knee.

So it was a matter of great interest to all concerned that the defense should show up in court with an affidavit dated March 7, 1973, signed by Trimbach himself, referring to the phone inside Wounded Knee. "The telephone which is sought to be tapped has been used extensively by the leadership of the American Indian Movement," he had said.

The fact that the FBI had tried to get a court order to make their wire-tap legal interested the defense, and in the ensuing questioning, the FBI seemed to get mired deeper in distress.

The affidavit tripping up Trimbach showed up during questioning by the prosecution of FBI agent Parker, who had helped to process the application to the Justice Department. The FBI originally furnished to the prosecution only page two of the three-page affidavit — Trimbach's signature was on page one and three, it later turned out. However, Enlow said this failure to produce the entire document was "a clerical error."

Again, Hurd, the prosecutor, was called to the stand as a witness. He said that he had seen Trimbach sign the affidavit requesting the wiretap on March 7, 1973, in Pine Ridge — in fact, he was forced to admit that Trimbach's statement was notarized by his (Hurd's) own secretary. Thus the prosecutor must have been aware that his own witness, Trimbach, had not told the truth when he had been on the stand two weeks earlier.

Hurd said he too had seen the affidavit a few days before when page two had been shown to him by the FBI. But he too had decided that the affidavit was not among the materials covered by Judge Nichol's subpoena.



Philip Enlow, assistant to Joseph Trimbach, said the FBI didn't believe the document should be turned over to the court despite the order. Trimbach had told the court two weeks earlier he couldn't recall any moves to seek a wiretap at Wounded Knee. And in response to a defense question, he said he'd never "formulated an affidavit in connection with a wiretapping order."

But Enlow told the court that a three-page affidavit had been signed by Trimbach on March 7, 1973. The defense promptly accused Trimbach of perjury, and filed a motion suggesting a copy of his testimony be forwarded to the U.S. Attorney's office for possible prosecution.

Nichol told the defense that he could not appoint a special prosecutor to investigate Trimbach's alleged perjury, but only because his authority as a judge was limited to offenses which occurred in South Dakota, not Minnesota. He said the matter would have to be taken up by a Minnesota district court.

Just the same, Nichol wanted to hear Trimbach's explanation so that he could rule on the defense motion as to why Trimbach should not be held in contempt of court.

"Mr. Trimbach's reputation might well be at stake, depending on what his testimony is," Nichol said.

Although Trimbach later received reports on what the agents had heard while listening in, he did not take any disciplinary action, although such conduct is contrary to federal law.

The defense motion also asked that Trimbach be investigated for obstruction of justice (the crime for which Banks and Means have been charged) and depriving persons of their civil rights.

F.B.I. Misdeeds Come To Light



(The wiretap inquiry led to other things. FBI agents contradicted each other, and the court ordered the U.S. to turn over information about its secret informers. Officials flew in from Washington to testify.)

The defense also filed a motion asking that Trimbach and two other FBI agents show cause why they should not be held in contempt of court. The motion relates to the failure of the FBI to turn over to the defense material it needed to prepare for the trial. The material included the memos that reported on overheard conversations furnished by the FBI weeks after the trial began. Nichol had signed an order last October saying that the defense team should be provided with pertinent materials in the case. He did not immediately rule on the defense motion.

The following weekend, Hurd turned over to the defense a log of radio transmissions in and out of Wounded Knee kept by U.S. marshals. The director of the marshal service had told prosecutors, who in turn told the defense, that no log had been kept.

Nichol said he was disturbed at another instance where the man "at the top didn't know what was going on." Hurd admitted that the material should have been given to the defense earlier, but said it had been missed because there are "so many hundreds of items in government files" on the 71-day occupation.

Nichol commented that even if the material was not withheld deliberately, "negligence, if gross enough to prejudice the defendants, would be grounds for dismissal" of the case.

While Trimbach was testifying about the wiretapping, attorney Mark Lane raised the question of informers. Although prosecutor Hurd objected, Nichol overruled and Trimbach said they had been used.

The issue got sticky when Lane wanted more information. During an exchange between defense and prosecution attorneys, Hurd said the Justice Department had withheld data on informers from the prosecution. He said that the informers weren't the type that would have information which might benefit the defendant's case.

Judge Nichol said he thought it "incredible" that the FBI was withholding sensitive material that the prosecuting attorney should at least review. That prompted him to sign an order telling the Justice Department to open up files to its own prosecutor.



Joseph Trimbach
... your FBI in peace
and war

Nichol grew angry at times during the debate among the attorneys. At one point, he said, "I don't see how in their right minds the FBI or the Department of Justice" could withhold information from government prosecutors.

"I have confidence in the FBI," Hurd said blandly.

The FBI had said earlier that it promised anonymity to its secret informants, and never has allowed anyone outside the FBI to look through "informer-contact" files. Nichol set a deadline for the Justice Department to determine whether to comply with his order. He also demanded the names of any FBI informants who may have infiltrated the defense legal camp.

Trimbach had testified before Nichol that FBI policy forbids intrusion into confidential attorney-client relationships, although the defense has filed motion up on motion detailing harassment and spying by FBI men near their offices.

The order directs Hurd to examine FBI files "involving informer contacts" to determine if certain material should be reported to the court, or to defense counsel. One thing the prosecutor is to look for is evidence that the U.S. may have interfered with the defendants and their attorneys. Also specifically mentioned by Nichol is data relating to electronic or telephonic interceptions.

Hurd phoned the Justice Department during a recess and said the Justice Department would reply soon on whether it would or would not comply with Nichol's order.

If the department doesn't comply, Nichol warned Hurd, "You should well know what this court would do — dismiss the case."

After some delay, Hurd finally met in Washington March 28 with Attorney General William Saxbe, assistant attorney general Henry Petersen, and FBI director Clarence Kelley. They agreed to open the files.

With the files opened, the hearings came to a halt while U.S. Attorney William Clayton combed over the files of the FBI. Attorney General Saxbe had attached only one condition to the search: any informer whose name was discovered in the files would be able to veto disclosure of the informer's name to Judge Nichol or to defense attorneys. According to the FBI, the condition may prove necessary to protect the personal safety and present activities of such a secret informer.

Joseph Trimbach said the FBI had received numerous phone calls from informants who, Trimbach said, "are scared to death" that their names and activities will become public knowledge.



By April 9, Nichol had told defense attorneys that there was enough evidence of a mistrial, and that he would grant such a motion if it were made. But that would mean the government could demand a new trial.

"We refused the offer," Kunstler said. "We said we would not settle for anything short of a dismissal," which would mean that the defendants could not again be tried on the same charges.

Nichol said he had made no decision on how he would rule on the defense motion for dismissal which was before him. Nichol told defense attorneys that he had received a letter which had been sent a year ago to assistant U.S. Attorney General Henry Peterson. The letter indicated Peterson himself believed that the FBI had engaged in an illegal wiretap at Wounded Knee.

When court resumed, Nichol was asked to issue subpoenas to Petersen, Trimbach, Roy K. Moore of the FBI, and Carl Belcher, head of the general crime section of the criminal division of the U.S. Justice Department. Also told to appear was W. Mark Felt, a high-ranking FBI official, now retired.

Belcher said that while he was in Pine Ridge last March, 1973, he himself had heard of a "party line" with telephones inside Wounded Knee, at a government roadblock, and, he believed, also inside the U.S. Command Post at Pine Ridge. On the assumption that there were "up to two dozen phones on the party line", Belcher said he had advised someone, probably a top FBI agent, that monitoring the phones would be "appropriate and legal." In fact, however, the only phones on the line were at the Wounded Knee Trading Post — and in the hands of the FBI.

Belcher brought with him documents which traced the sequence of events which took place when the wiretap application reached Washington. First, Patrick Gray, then acting director of the FBI, sent it over to the Justice Department for the signature of the Attorney General. It reached the desk of an associate assistant attorney general, Harold R. Shapiro, who passed it on to his boss, Henry Petersen, an assistant attorney general, with the notation, "Although the bureau (the FBI) is pushing on this, I can't recommend approval . . ."

Petersen then made the notation that "the bureau is checking at my request 1. illegal interception; 2. if so — whether info intercepted constitutes any basis for this application." In other words, Petersen would not approve an application for wiretap which was itself based on information obtained from wiretapping.

To cover the situation up, the FBI withdrew its application shortly after. It was not rejected by Petersen and it never reached the desk of the Attorney General for signature.

However, the FBI then sent still a second application in, this time signed by Thomas Parker. It was virtually identical to Trimbach's affidavit, although Parker testified that he had never seen the earlier statement. This time, the FBI named two informants as the source of the information for the affidavit. After the new application had been submitted, Felt wrote to Petersen — using plain paper instead of FBI letter-

head — chastising him for believing that the FBI might have been wiretapping illegally, but saying that it had been decided not to ask the federal court for permission to wiretap. In his letter of March 20, 1973, Felt said the telephone had been ordered disconnected. However, the phone was not disconnected until three weeks later.

"Your feeling that our application in the Wounded Knee case was based on information from an illegal wiretap concerns me greatly," Felt said in his letter to Petersen. Felt claimed the information in the application had come from two informants, whom he did not name because they asked that their identities be protected, he said.

However, Felt alleged that the informants had provided their information on March 14 and 15 — however, the last application submitted to the Justice Department for approval of the wiretap was dated March 13, 1973.

Felt told Judge Nichol that he had not used plain paper so that his note would be kept out of the files, but rather that he could be "harsher" in his blast to Petersen since the paper would not be filed for future disclosure.

Parker was questioned closely on where he got the information and allegations necessary to support his wiretap application. He said the bulk of the affidavit came from other FBI agents who had interviewed witnesses. When one of those informants turned out to be an Associated Press photographer, a furor in the journalistic world developed. (See next page.)

Roy K. Moore, special agent in charge of the FBI's Jackson, Mississippi, bureau, testified that he had no recollection of any telephone monitoring at Wounded Knee where he was in charge of 165 FBI agents from mid-March to mid-April, 1973. He said information about land mines and booby traps near Wounded Knee came from interviews with residents who were leaving the village.

He was contradicted on this point by Felt, however, who said it was Moore who had told him of an "accidental overhear" of a telephone conversation from inside Wounded Knee.

After reading reports of FBI interviews with the Wounded Knee residents leaving the village and finding no mention of landmines, Judge Nichol said, "I don't know how I can believe a single word Mr. Moore said."



Kunstler said he believed the FBI cover-up on its illegal activities in Wounded Knee began last March, 1973, when reports of Watergate scandals indicated that the FBI's reputation might become tarnished. It was then that L. Patrick Gray agreed to destroy documents for John Dean, the counsel to President Nixon. Then, Kunstler believes, the FBI started to cover-up on other misdeeds since its protection from the White House might soon be laid bare.

Banks and Means did not have to sit through the special hearings on the wiretaps, and used that time to get caught up on American Indian Movement activities. Banks, who celebrated his 42nd birthday on April 13, spends most of his time at the AIM national office in St. Paul. It's on the second floor of the St. Paul AIM headquarters, an old, drab brick building that stands prominently on the flats of a housing redevelopment area. Banks handles correspondence and phone calls in a 12x25 foot room.

Means, meanwhile, has been speaking about the U.S. In successive days he was in Albuquerque, New York Philadelphia, Washington. Such paid appearances help foot the bill to maintain the Wounded Knee Legal Defense/Offense Committee.

Professor Wilbur Jacobs also appeared for the defense, and finally, the 1868 Sioux Treaty with the U.S. was admitted into evidence. Jacobs, a specialist in American history and an author, discussed the treaty. Judge Nichol had resisted any move to introduce the treaty in the main trial, but agreed to accept it as part of the evidentiary exhibits during this special hearing, a trial within a trial.

Judge Says Government Misconduct Not 'Gross Enough' To Drop Charges

(After weeks of hearings on the charges of government misconduct, Judge Nichol decided that the U.S. had misbehaved severely, but that the trial should continue. He recalled the jury to court, and resumed hearing witnesses.)

After considering all the evidence of government misconduct, Judge Nichol ruled that the "negligence of Government prosecutors and agents of the Federal Bureau of Investigation" was not "gross enough" to warrant dismissing criminal charges against Means and Banks.

Nichol added that if the U.S. continued its course, he would not hesitate to dismiss the charges. He ordered testimony to resume May 1.

In his ruling, Nichol said that while the FBI had listened illegally, he was not persuaded that the agents had been gathering evidence — rather, he said, the listening had been done for "defensive" purposes. Also, he said, while the FBI had been slow to yield documents to which defense attorneys had been entitled, it had not been shown that any material had been destroyed, adding that what appeared to have been gross misconduct could have been mere negligence.



—Roger Nystrom/Minneapolis Star photo

Judge Nichol examines petitions received from around the world asking him to dismiss charges against AIM leaders. He said the petitions would have no effect on his decisions — but he seemed impressed and amazed.

Preventing the Government from prosecuting criminal charges is a very drastic measure, the judge said, and should be a last remedy. "Accused individuals must be brought to trial, or our institutions will collapse," he observed.

Nichol ordered the Government not to use any evidence it may have got from the illegal telephone monitoring, and told the FBI to search its records once more for documents that may help the defense. He said it was the Government's duty to see that the accused individuals get a fair trial.

Interviewed in his chambers after issuing his opinion, Judge Nichol referred to his statement which held that negligent and dilatory conduct by the FBI had "brought this court to the brink of dismissing this case." Indicating he could not have come closer to dismissing the case without actually doing so, Nichol asked; "How close is the brink? Well, the way I understand it, the brink is just before you go over the precipice. The defense probably will move again for dismissal, and I can foresee a point in this case where evidence of governmental misconduct might be so strong I would have no alternative but to dismiss."

Defense attorney Mark Lane cited as "probably the most important part of Nichol's opinion" the second-last sentence: "If further misconduct occurs on the part of the Government, I would certainly consider a renewed motion by the defendants."

"The judge has taken note of massive government misconduct," Lane said, "but he's seen only the tip of the iceberg. This case will never get to the jury."

In arriving at his decision, Nichol said, he considered not only the trial of Banks and Means, but also the

impact of his ruling on pending cases against four other AIM leaders and 130 others on trial in Lincoln, Nebraska.

"Another consideration," Nichol said, "was that if I went the other way — dismissed the charges — and was reversed on appeal, we'd have had to start all over again and we would have wasted four months. Every trial judge lives with the feeling that there are people looking over his shoulder — the courts of appeals."

Although he denied the motion to dismiss, Nichol found that the FBI had engaged in illegal monitoring of telephone conversations, and that the government had failed to comply with a court order for evidence to be turned over to the defense. He said, however, that the defense had failed to prove the telephone monitoring invaded the attorney-client relationship, or that the government was guilty of general dishonesty and misconduct in the case.

In a broadside indicating his growing impatience with the FBI, Nichol charged that "this transcript proliferates with what this court concludes to be negligent and impedimentary conduct of the FBI in complying with the discovery order. . . . The search produced 131 discoverable or arguably discoverable pieces of evidence which hadn't been turned over."

Nichol said that his most charitable opinion could be that the FBI was negligent.

"Although the FBI has had the well-deserved reputation of being the world's most effective crime-fighting organization," Nichol said in a statement that certainly will not be a part of the FBI's weekly TV series, "it must be remembered if our system of freedoms is to be preserved, that the FBI must be servile to our system of justice. The FBI in this case failed as a 'servant of the law.'"

Attorneys from both sides met with the judge to determine how he was going to explain to the jury the many weeks they had been away from the courtroom. Defense attorney Ken Tilsen argued that the judge should be as explicit as possible in telling the jurors of government misconduct, while Hurd argued that the judge should simply say he had ruled against dismissal. Judge Nichol decided on a middle course, saying he had found the government guilty of illegally phone monitoring, negligence, and delays in complying with a court order. But before the day was over, the jury was given an ample view of the nature of the hearing they were not allowed to attend as more charges of misconduct by the U.S. became evident.

"You are not to interpret from the court's decision any judgment as to the guilt or innocence of Russell Means and Dennis Banks," Nichol said.

The FBI Again "Comes Close to the Brink"

The first witness to resume testimony was Adrienne Fritze, one of several persons allegedly held hostage. She is the daughter of Guy and Jean Fritze, who in turn are related to the Gildersleeves and Czynywskis who ran the trading post.

Adrienne was followed by her mother, Jean, who described the beginning of the occupation. She said they had been "taken hostage" the night it began, but they were told they were free to go the next day, essentially the same story as given by other "hostages."

However, her testimony caused Judge Nichol to give blistering remarks — the strongest of many he has directed at the FBI.

Angrily, he told prosecutor Hurd, "Tell Mr. Trimbach [FBI area head] — and he'll know what I mean — it's getting pretty close to the brink." Earlier, he had said that FBI conduct had brought him to the brink of dismissing the case.

The flare-up occurred when defense attorneys asked Mrs. Fritze if she had given any written statements to the FBI. Hurd answered that there was no written statement. A moment later, however, he reversed himself, and said one had just been handed to him by an FBI agent in the courtroom. Hurd, embarrassed, said he did not know the document had existed until just then.

"Are we going to have this happen every day for the next year and a half?" Nichol exploded. "I may have to dismiss the case on grounds of governmental misconduct that appears deliberate. The arrogance of the FBI . . . shows complete disrespect for this court. Somebody better tell them to get off their high pedestals. And I am going to say in front of the jury that I can't distinguish government attorneys from the FBI."

He added that he also might have to reconsider a motion he has denied for bringing contempt proceedings against Joseph Trimbach.

"I'm awfully upset," the judge added.

On May 2, Judge Nichol ordered the White House to produce in his court tapes of any conversations between President Richard Nixon and his aides, including John Dean, that might be relevant to the trial. He set a deadline of May 28 for the White House to reply, but later extended that deadline when John Dean said he would be willing to testify.

The report said that an Army observer at Pine Ridge had assisted since March 1, 1973, with "planning and procurement of law enforcement supplies." Among equipment rushed to the scene were some 16 armored personnel carriers. These were stationed at government roadblocks around the village and government authorities considered using them in a thrust into Wounded Knee with an accompanying barrage of tear gas.

If John Dean does give evidence in the matter, it will be a touch of irony. It was Dean who drafted the White House position that none of the president's staff should appear before the Congress to testify about the Trail of Broken Treaties occupation of the BIA headquarters in Washington.

Guy Fritze, a 48-year-old retired Navy man, testified May 3, and identified a photograph of Banks wearing a pistol, holster, and Sam Browne belt which he said had been taken from the trading post.

Under cross-examination, however, he said he couldn't be sure it was, in fact the same — it just looked like the one he had ordered for a BIA policeman, he said. While he told the court that he had seen Banks and Means from time to time carrying arms, he said that he never saw either Banks or Means fire a weapon or threaten anyone, and that it was common for persons at Pine Ridge Reservation to carry pistols, rifles, and shotguns. He also denied having overheard conversations calling for reinforcements and additional weapons, although reports submitted by the FBI said the agents had been told by Fritze that he had heard such things.

Fritz also had some problems with identifications. He said one man was Bob Burnett, although the photo turned out to be of Bernard Escamilla, and another photo was identified as Vaughn Dix Baker, who in fact had been arrested outside Wounded Knee before the occupation began and had been in jail during the period when Fritze said he had seen him there.

Agnes Gildersleeve, 70, a diminutive, strong-willed Chippewa woman married to a non-Indian trader, gave evidence May 7 — evidence which was some of the most damaging yet against Banks and Means, but which at the same time contradicted some of the testimony of earlier witnesses.

She said that on the night of the occupation of the village of Wounded Knee, where she has lived for more than 40 years, she saw a caravan of cars roll up to the trading post. "My God," she told her husband, "AIM is here again!"

She said she called BIA police and pleaded for help, but none came. She said she saw men carrying merchandise from the store. About two hours later, armed guards arrived and announced, "You are to regard yourselves as hostages and political prisoners," she told the court. The next morning, she said, she asked Banks, "Why did you attack innocent people?"

"You had the food and the guns and the ammunition, and we needed it and we took it," she recalled as his reply.

She said, however, that although she saw Banks and Means every day, she never saw either of them carrying a weapon — contradicting testimony of other witnesses. She drew a laugh when she said she saw Means and Banks "mostly outside — posing for photographers." Means and Banks laughed as hard as anyone at that comment.

During cross-examination by defense attorney Kunstler, Mrs. Gildersleeve admitted, "I hate what they [AIM] stand for . . . such things as destruction and rioting."

"But otherwise, you have no prejudice?" Kunstler said with a smile, as jurors and spectators laughed. "That is right," Mrs. Gildersleeve retorted. She also said that she regarded AIM as "communist in its tactics."

Hurd won permission from Nichol to read to the jury some portions of a letter which Mrs. Gildersleeve had sent to Rep. James Haley, then chairman of the House of Representatives Indian Affairs subcommittee. "AIM has set the Sioux Indians back 50 years . . . they have indoctrinated young Indians into the AIM organization so that there will be no living with them," she wrote. "Before AIM ever came to the reservation, we all lived peacefully and happy; children were all going to school, Indians were getting paid regularly and living very well, like any other community, white or Indian."



FBI agent John Frazer told the court that he had entered Wounded Knee March 5, 1973, disguised as an electric company worker. He said he saw bunkers manned by armed men, he said the trading post had been ransacked, and that a tractor-trailer truck was being used as a roadblock.

On cross-examination of Frazer, defense attorneys succeeded in bringing before the jury a plan by Roy Moore, FBI special agent in charge, for assaulting the hamlet with 12 armored personnel carriers and 120 armed men — a plan previously referred to only when the jury was absent.

Wounded Knee Testimony

(Witnesses for the prosecution, other than government officials, also did little to build up the U.S. case — in fact, at times it seemed that they were testifying for the defense.)

The 34th witness appeared May 15 — she was Greta Big Owl, who testified that she had gone to the trading post the afternoon of February 28 and found the place crowded, mostly with Wounded Knee residents. She said she was there about 30 minutes. In answer to a question, she said she took some soap and laundry detergents, "but there were no groceries left to take."

At that point, Judge Nichol advised her of her right against self-incrimination, and said he would strike her answer from the record because she had not been properly warned in advance. But Mrs. Big Owl said that was all right — if she is incriminated in that regard, "the same goes for almost everyone else in Wounded Knee."

Other portions of her testimony were that she saw Means in the office of the trading post looking through papers, and that there were two pistols on the desk. She said she had seen Banks near the Catholic Church when an airplane was flying over the village. She said some armed men with Banks fired rifles at the plane, but without any apparent effect.



One of the prosecution witnesses was Rubin Mesteth, a 59-year-old resident of Wounded Knee. He said he had left Wounded Knee March 3 to do some shopping and was assured that he could return home. But that night he was stopped by U.S. marshals at a roadblock and he had to return to Pine Ridge. There, he took up temporary shelter in an overcrowded old-age home until May 10, when the U.S. permitted him to go back home. While he was in Pine Ridge, he signed a petition demanding that all Wounded Knee residents be permitted to go back to their homes. By the time he had finished, it was unclear why the prosecution had him testify — his evidence could only be helpful to the defense.

Another prosecution witness gave a big boost to the defense May 20 when he testified that Means told him during the first week of the occupation that his "main concern was to see that the United States Government lived up to the treaty" — the Sioux Treaty of 1868.

He was the Rev. Sam Rouillard, a Presbyterian minister from Porcupine, on the reservation. Rouillard was the first witness in the case to say that part of the motive of the American Indian Movement and Oglalas who occupied the village was to seek the fulfillment of treaty rights.

The purpose of Rouillard's testimony was to show that Banks and Means were in charge of the occupation. Rouillard is himself a Lakota, and he said he had been sent by the people of Porcupine to see whether the people of Wounded Knee needed assistance.

Another witness, Joseph Spotted Bear, who worked at the Wounded Knee trading post, said his car had been burned and used as part of an Oglala roadblock a few days after the occupation began. He said Means had told him he would arrange to have someone pay him the \$100 to \$150 value of the car, but that no one did.

Tempers flared in the courtroom May 22 while defense attorney Larry Leventhal was cross-examining a government witness, the Rev. Charles Leute, a 32-year-old Roman Catholic priest stationed at Pine Ridge. The line of questions was trying to show through Leute that operators of the Wounded Knee trading post had a history of cheating Indians. Leute testified that he advised both Indians and non-Indians not to do business at the trading post. But as Leventhal was trying to probe further, Nichol sustained a government objection to that line of questioning.

Means sprang to his feet and said, "That trading post had no right to be there under the treaty in the first place."

Means continued talking after Nichol told him to stop. The judge ordered marshals to eject Means from the courtroom, and as attorneys rose to argue the point, Nichol called a recess before Means was booted out.

Nichol, on his feet and with his face flushed, shouted: "I want to see counsel in my chambers immediately," and then he stalked from the courtroom.

There was a 50-minute conference, and although participants did not comment, tempers had been soothed.

The U.S. had called Leute to testify that Indian occupiers had pointed guns at him during the occupation when he had entered Wounded Knee. Yet, the Benedictine priest said that he never saw anyone fire a gun from inside Wounded Knee, and that he never saw Means or Banks with a weapon.

Means and Banks exercised their new co-counsel privileges for the first time with the witness who followed Leute, a BIA criminal investigator named Everett Little White Man. As prosecutor Earl Kaplan from Washington questioned the policeman, Means and Banks voiced several objections to questions — and Nichol sustained the objections.

Little White Man had been among a group of federal officers who halted a car coming out of Wounded Knee shortly after midnight, March 6, 1973, and found four Molotov cocktails — bottles filled with gas and stuffed with rags — in the car trunk.

The car was a 1970 Dodge that apparently belonged to Clive Gildersleeve, trading post owner. Banks and Means also are charged in connection with the alleged theft of the auto. Occupants of the car were Mary Quintana, Bill Means, James Roberts, and Robert Burnette, Jr.

Defense attorneys said the car was being used to take Burnett to a hospital after he was injured in an auto accident. They said a white flag was hung from the radio antenna of the car.

The agents who stopped the car ordered all of the occupants out except Burnett, who was lying across the back seat. Two FBI agents testified that ammunition, a bayonet, knives, and a razor were seen scattered inside the passenger compartment.

Gerald Bertinot, one of the agents, said that he then decided to search the car trunk because "it was my feeling there might be some kind of explosive in the back of the car." Under cross examination by defense attorney Mark Lane, he said he based his feeling on telephone conversations he overheard earlier that night over the controversial wiretap.

Bertinot said he tried unsuccessfully to open the trunk with the ignition key, then held a flashlight while a BIA officer pried open the trunk. There was no search warrant, he said.

Defense attorneys contended that the federal officers knew ahead of time that the car was carrying an injured man, and that the officers had no probable cause to search the trunk. But R.D. Hurd, the prosecutor, said that sighting the ammunition in the passenger compartment gave the officers probable cause to search the trunk. After considering the matter for a time, Judge Nichol agreed with Hurd and allowed the four seized bottles admitted into evidence.

The Prosecutor Impeaches His Own Witness

William Leavitt, a white rancher who uses Pine Ridge lands and who lives near Wounded Knee, was called by the government as a witness who had seen the takeover of the trading post February 27, 1973. He said he and his father went in a pickup truck to the village when he was notified as a volunteer fireman that there was fire in Wounded Knee. He said he saw no fire, and decided to pick up his mail at the trading post.

Leavitt said he saw the place was vandalized, and as he drove away, he shone his flashlight on some persons of "AIM descent." Soon afterward, the pickup was fired on and the back tires were shot out. He nursed the vehicle to a pasture east of Wounded Knee and watched events in the village from there during the night.

On cross-examination, Kunstler asked Leavitt, a member of the John Birch Society, how he knew the men he saw "were of AIM descent." "Because they were armed Indians with long hair and wore headbands," Leavitt responded.

Kunstler referred to an FBI log reportedly quoting Leavitt as having told assistant U.S. attorney Hurd on March 12, 1973, that he "had someone who could drop dynamite into Wounded Knee." Leavitt said he couldn't recall having made that statement.

Thereupon Kunstler called Hurd as a witness. Hurd left his seat at the prosecutors' table to challenge the testimony of his own witness, saying that he definitely recalled Leavitt making the remark about bombing Wounded Knee. The prosecutor said Leavitt and another man had come to the BIA office to complain that they were unable to move cattle near the village out to market. Hurd said he advised the men that it would be illegal to bomb Wounded Knee.

Leavitt also told the court that he had "a great collection of guns." When Kunstler asked if it were "about 40," Leavitt replied, "I would say that's stretching it a bit."

"Disregard the Evidence of this Witness"

After an important government witness gave his testimony, Judge Nichol told the jury to ignore everything everything he had said.

Nichol decided to strike the entire testimony of Alexander Richards, a 16-year-old Oglala who took part in the Wounded Knee occupation because the U.S. had not complied with his order to turn over to the defense an FBI report of an April 7, 1973, interview with the youth.



Richards testimony was important to the prosecution because the youth told the jury that co-defendant Russell Means had ordered him to serve guard duty at a bunker built in the Wounded Knee perimeter. One of the ten counts in federal indictments against Means and Banks alleges, in effect, that they were responsible for bunkers that impeded federal officers in the course of a civil disorder.

Richards was the first prosecution witness who placed one of the defendants in a command position regarding the manning of the bunkers. However, even before it was learned that the prosecution had failed to provide the defense with information, he had contradicted himself several times on the witness stand.

Richards said he had been granted immunity from prosecution in exchange for his testimony. He said he went to Wounded Knee from his home in Wanblee on the reservation on the night of the occupation, February 27, 1973.

Richards said under questioning from R.D. Hurd that Means told him "he needed some men for bunker duty" the night of March 30, 1973.

Richards said he took his place in a bunker near the Sacred Heart Roman Catholic Church in Wounded Knee, as he had on other occasions. On some of his guard stints, he said, he fired a rifle at government positions around the perimeter of the hamlet. Under cross-examination from defense attorney Kunstler, though, Richards changed his testimony and said he was probably not in Wounded Knee March 30.

In answer to Kunstler's questions, he said he was arrested by BIA police April 7, 1973, and charged with burglary, possession of a stolen automobile, being under the influence of drugs, and threatening the arresting officers. Richards had said he was arrested about three weeks after leaving Wounded Knee.

FBI agents interviewed him about his activities in Wounded Knee April 16, 1973, while he was in the Pine Ridge jail, Richards said. He testified that he was released from jail minutes later, without explanation.

"Has anybody contacted you about those crimes — those alleged crimes — from that day to this day?" Kunstler asked. "No," Richards said. "Did you ever wonder why?" Kunstler asked. "I forgot about it," the witness said.

Kunstler implied that Richards has not been prosecuted for the charges against him in return for testimony about the Wounded Knee occupation.

After the testimony, defense attorneys learned about the undisclosed FBI interview. The subject was discussed in a meeting in Nichol's chambers late the same afternoon.

The suppressed affidavit told quite a different version — Richards was quoted as saying he never had a gun at Wounded Knee, never did bunker duty, and that he had gone to the village March 27 — a month later than he had testified to in court.

Nichol asked Hurd why the report had not been given to the defense along with two other reports of FBI interviews with Richards. Hurd said he thought he had given it to the defense. He said his failure to do so was "an oversight." Nichol said he had no other alternative but to instruct the jury to forget Richards' testimony.

After a similar incident the previous day, Judge Nichol had asked Hurd, "Aren't you getting kind of tired of explaining your own negligence on some of these matters?"

Hurd responded, "No, your honor, I'm getting used to it."

As Dennis Cassano, staff writer for the *Minneapolis Tribune* noted, Hurd has had a marked change of attitude since the start of the trial — then he was trying to "play the role of the urbane, witty prosecutor, fully competent to do battle with the row of attorneys representing Means and Banks — to the present time when he is playing the role of the underdog country lawyer from South Dakota trying to withstand the advocacy of big-city and nationally known defense counsel," Cassano wrote.

Army & F.B.I. Involvement At Wounded Knee



—Michelle Vignes photo
Part of the Military Presence at Wounded Knee, 1973

(As the FBI's misdeeds began to be revealed, slowly the trail of high level conspiracy against the native movement implicated the Army, senior administration officials — maybe even the White House.)

An observer of the many months the court has been in session could have trouble determining who the defendants are. It's true the case is titled, "United States of America, plaintiff, vs. Dennis Banks and Russell Means, defendants."

But the roles seem to have been reversed, and the U.S. Government has been on the defensive. The names of the two defendants are rarely mentioned other than in passing. Few of the bevy of witnesses have given evidence directly linking Banks and Means with the crimes charged against them.

About all that has been shown to this point is that the two were among the AIM members who moved into Wounded Knee at the start of the occupation, and apparently had leadership roles.

Meanwhile, the Justice Department, the Federal Bureau of Investigation (FBI) and the prosecution have been getting their lumps, both from the defense and from the court.

Just as the furor over the wiretapping had settled down and the prosecution was looking forward to resuming the trial, new issues came up on the use of military force during the occupation of Wounded Knee, FBI intelligence operations against the American Indian Movement, and the authority of federal marshals to be involved.

A document on the Justice Department's response to questions asked by the Senate Interior Committee during the occupation last year came to light. In it, it says, on November 21, 1972, after the Trail of Broken Treaties occupied BIA headquarters, then de-

puty Attorney General Ralph E. Erickson directed the FBI "to intensify its efforts to identify violence-prone individuals or organizations involved in American Indian activities, particularly the AIM organization."

The FBI "is collecting and disseminating information of an intelligence nature" the department said.

"The overall purpose of the FBI intelligence investigations is to develop detailed advance information concerning planned demonstrations and disorders by organized and individual Indian militants," it said.

Defense attorneys William Kunstler and Douglas Hall said the statements reopen the issues of wiretapping and illegal invasion of the defense legal camp that they thought had been laid to rest in the unsuccessful four-week hearing to dismiss charges.

Judge Nichol agreed, and ordered the federal prosecutors to produce more information about the statements, and to give the judge a copy of a recently-revealed FBI plan to disrupt the activities of militant organizations.

The plan had been published with the names of the organizations deleted. Earl Kaplan, a Justice Department attorney, told the judge he had read the paper before the names were removed, and that AIM was not mentioned. But Nichol ordered Kaplan to show the complete document to him so he can see for himself.

The document also reveals what apparently is a more intensive military involvement in the occupation than the U.S. has admitted until now. The use of U.S. Armed Forces on American soil — against its own people — is prohibited in the American Constitution.

Federal officials have said repeatedly that the U.S. Army's involvement was limited to supplying food,

rifles, and armored personnel carriers to federal agents at the scene.

The Justice Department told the senators, however, that the department "has maintained regular contact with the Directorate of Military Support, Department of the Army, since February 28," the day after the occupation started. "On March 2 and 13, 1973," the Justice document says, "representatives of the Department of Defense briefed representatives of Justice and Interior (departments) concerning certain military contingencies."

Among the papers were a note written by an Army colonel, and a letter from President Richard Nixon to Harlington Wood, Jr., then an assistant attorney general and temporarily, the chief federal negotiator at Pine Ridge.

Nixon's letter advises Wood that members of the president's staff had told him of the work done by the federal team in achieving a settlement. The one from the Army officer to Wood suggests that Wood seek a public announcement from Nixon granting authority to either take the village by force, or to withdraw federal forces and let AIM and the Oglalas battle it out with the tribal council.

Top-level federal sources have said that one White House option discussed repeatedly at high levels during the occupation was "use of massive force", meaning federal troops. An "option paper" was developed on this possibility, including the dollar costs of the operation, the methods to be used by the military, and the estimate of how many Indians and how many soldiers would be killed.

The military option paper was prepared at the direction of Kenneth R. Cole, director of the White House Domestic Council.

Other agencies involved in the military option discussions were Justice Department officials, key officials from the Pentagon, the White House's man in the Interior Department, undersecretary John Whitaker, and Marvin L. Franklin, Indian Affairs assistant to the Secretary of Interior.



The defense contends that since two of the charges refer to "a civil disorder," use of the military would be legal only under a presidential directive.

There is also the question about the use of federal marshals. The defense contends that they had to be invited by the leaders of the Oglala Sioux tribe — if not, then the marshals were not there legally, and charges that involve marshals should be dismissed. The Justice Department has contended that the request was made by the tribal council of the Interior Department to provide law enforcement assistance, and the marshals were chosen to go. But now it contends that marshals did not need an official tribal request to enter the reservation.

One FBI memo, dated March 1 — three days after the occupation began, stated, "Mr. Gallagher from the Bureau (FBI) advises that the Attorney General [then Richard Kleindienst, who since has been found guilty of refusing to answer questions before a Senate committee] wants all individuals prosecuted. There is to be no amnesty or bonds set. Identify all news media that are on the scene so that they can testify later as to what they saw. Prosecute everyone of any crimes possible."

MEANS ARREST IN SIOUX FALLS TERMED HARASSMENT, DISCREDITING, IRKING

On May 14, Russell Means was arrested at the Sioux Falls Airport on a charge stemming from the violent disturbance in the courtroom two weeks earlier when police clubbed spectators and defendants. (See article on Sioux Falls trials for details.)

Means was arrested about 6:15 a.m. as he and Dennis Banks were at the airport preparing to fly back to St. Paul for their trial there. He was arraigned in Sioux Falls Municipal Court on a charge of injury to a public building, and bond was set at \$2,000. In the meantime, Means was held in jail. Banks had proceeded on the early morning flight.

Means chose to wear his prison garb to court. He was shackled in handcuffs and a waist chain, and flanked by two federal marshals when he arrived at the Minneapolis/St. Paul International Airport. He called the experience "totally demeaning" and "another example of the constant harassment" by the federal government.

Judge Nichol, after learning of Means' arrest, had issued a writ of habeas corpus under which South Dakota state authorities released Means to custody of federal officers.

Nichol showed signs of being irked by the incident, saying he couldn't understand why Means went to Sioux Falls in the first place and placed himself in the position of being arrested. He refused to order that any part of the \$42,000 bond under which Means is

now free could be applied to the Sioux Falls bond of \$2,000, and said Means would have to remain in custody until an additional \$2,000 had been posted.

Banks and Means felt that if they were going to be able to show the racism and hostility which they felt many of the witnesses hold deep in their hearts, then they would have to question the witnesses themselves—even lawyers as competent as Kunstler and Lane could not bring out certain things as ably as if a native person were asking the questions.

However, Judge Nichol refused permission for the two men to represent themselves, saying that they already had qualified attorneys, that the trial already had progressed too far for a change, and he didn't want to make a ruling that could cause a guilty verdict to be thrown out on the grounds that the defendants didn't have proper legal counsel.

So, while court was in session, Means announced to the courtroom, "I would like to notify the court that I have fired my lawyers and I will now represent myself." And then Dennis Banks told Lane and Larry Leventhal, his attorneys, "Go on — you're fired. Get out of here."

But Judge Nichol disagreed. He said the two men would be represented by their lawyers of record even if they had to be brought to court by federal marshals, and he ordered the attorneys not to leave the room.

He said, "The interests of the defendants in a fair trial outweigh their requests to proceed without at-

torneys." The judge said they could take the issue to the 8th U.S. Circuit Court of Appeals in St. Louis if they disagreed.

Nichol said he was forced to maintain his position because of previous decisions of higher courts. He said the best he could do would be to grant a mistrial, and then let the men represent themselves in a brand new proceedings.

After a conference in his chambers, Nichol agreed that the two defendants could act as "co-counsel" but that whichever person chose to argue objections or to question a particular witness could be the only one to do so.



Hurd argued against allowing Means and Banks to question witnesses. He said their questioning might intimidate some government witnesses who would be afraid of the men.

The judge made one other demand, to which Means agreed. The defendant will not be able to wear the sweat shirt he wore in court this week when he questions witnesses. The red shirt has large white letters across the chest:

CUSTER HAD IT COMING

NO NEWS?

St. Paul, Minnesota — Look in your daily newspaper today. Or all of the papers this week. Or this month. See how much coverage you can find on one of the most massive set of political trials which have ever taken place in the United States for one of the most massive acts of defiance of U.S. authority since the Civil War on U.S. soil.

Not much news, you say? That seems to be the case throughout the U.S. For whatever reason, coverage of the trials is minimal.

Some observers say the press is sensitive to some of the charges raised in *TV Guide*, which is one of the most widely read pieces of literature in the U.S., which is social commentary in itself. The magazine ran a series of articles implying that the occupation of Wounded Knee was a mere publicity stunt, and that the press and TV people had been taken in by the American Indian Movement. The articles, incidentally, came out just before the trials, conveniently enough.

TV Guide is owned by Triangle Publications, which in

turn has Walter H. Annenberg as its president. He is U.S. Ambassador to Britain and is an intimate friend of President Richard Nixon. Its news features are primarily from five regular contributors: Patrick Buchanan, presidential aide and speechwriter; John D. Lofton, Jr., who recently was editor of the Republican National Committee's weekly newsletter; Kevin Phillips, a former campaign technician for ex-Attorney General John Mitchell, plus Edith Efron and John P. Roche.

AIM leaders noted that coverage of the trial was almost limited to the Minneapolis-St. Paul area, even though both AP and UPI had sent out "reams of stories" from there on the trial. Newspapers and radio stations, however, do not seem to be using the stories, either feeling that they lack news value, or that it is not good to give publicity to militants. An AP spokesman denied that there had been any governmental pressures to go easy on the case.

Even in Minnesota, close to the trial, the press was cold to coverage. *The New Ulm Daily Journal* said in an editorial that the Wounded Knee trial "no longer qualifies as news. It should be given space on merits . . . but it is not worth daily space in small newspapers. . ."

But, as Gerald Vizenor of the editorial page staff of the *Minneapolis Tribune* points out, "There was a time not long before Wounded Knee when tribal issues were seldom the subject of editorial comment. But now, in part because of the efforts of Banks and Means, the oppression tribal people have endured for more than a century is being discussed in newspapers and country clubs and public schools everywhere."



ALTERNATE PRESS FINDS HUMAN ELEMENTS IN SERIOUS TRIALS

(Clyde Wendell Smith, writing in *The Drummer*, a Philadelphia alternate paper, tells of an event he saw in Judge Bottom's courtroom in the Sioux Falls trials of the Custer defendants.)

Into the middle of that death of legal games walks a Chief. Hobbling on a cane because of a bronco-busting injury in the 1920s, he is another Indian of unimposing manner who would be dismissed by any white standard of importance. He carries his sacred calf pipe, and on the opening day of the hearing he prays with it held before him in the court before we are kicked out to be searched.

On the second day, he comes to testify with some confusion

because the defense can't find a suitable interpreter for him: those present are too young for the dignity of his words. But they decide he should say something anyway.

He stands up in the witness dock. The clerk comes up to give the oath. "I don't need to take an oath to tell the truth," the Chief says in broken English. "What else should I speak?"

The judge stands up. "Now, Chief!"

"Hold your horses!" says the Chief, extending his left hand out, palm perpendicular across the broad black robes, but not quite touching them. The judge's mouth drops open and he sits.

The Chief prays with his pipe. He leaves.

That was the only real event I had ever seen in court. For one moment, the power in some words to God stripped away formality and left some space for truth. But as soon as the Chief stepped down, the necessities of law closed in again. They will continue for over another year with this case or with others as the dull pain of Wounded Knee drags on.



A View Of The Trials

(Some of the most astute observations on the trials have been made by Jose Barriero, who was writing for the *Minnesota Daily* on his "Wounded Knee Journal." Excerpts follow:

February 12: On this morning, first day of the trial, two busses pulled up before the Federal Courthouse in St. Paul. They were carrying Indians from the Pine Ridge Reservation who had decided to come to town and give visible support for Means and Banks.

dress," one reporter said as the click-click-click and the whirring of cameras took their toll.

The Indians played it to the hilt. For some silly reason, white men have always delighted in taking [the pictures of Indians] and not a few Indians have made a living allowing themselves to be photographed. These old ones knew exactly what to do, what poses to strike, what signs to carry. It was interesting and reassuring that the age-old

tended to be "something you're not for the purpose of spying." Words and phrases like "disguise," "infiltrate," "carrying phony ID" and "deceit" were introduced by Kunstler and placed in the mouth of the witness. The idea was to ridicule Keel's work, to break his cool.

Kunstler: "Agent Keel, do you customarily wear long hair?"

Keel: "Yes sir."

Kunstler: "In your nine years with the FBI, how long have you been an undercover agent?"

Keel: "Two and a half years."

Kunstler: "How long have you worn long hair?"

Keel: "Two and a half years."

Even Judge Nichol laughed. There were some old Indian women in the audience and they smiled and clenched their fists at one another.

When Keel at one point made the mistake of claiming that he had never intended to deceive anyone, Kunstler pounced on it.

"But you used a fictitious name?" he asked.

"Yes."

"And that was a lie, was it not?"

"Yes."

"And you told them about your army experience. That was a lie?"

"Yes."

"And about your phony ID. Was that a lie?"

"Yes."

"In fact, Agent Keel, it is generally your business to lie. Is it not?"

"Objection!" Prosecutor Richard Hurd had jumped to his feet. He didn't like what was happening to his witness. Even the jury was laughing.

It went like that for the rest of the afternoon. Kunstler kept slicing into the credibility of the witness, establishing that he had been "instructed" to lie, establishing that he was totally unfamiliar with Indian tradition, establishing that even his official report contained inaccuracies. The agent must have felt silly at times. That lifestyle of being an undercover agent, of constantly lying and shifting identities and switching costumes in hotel rooms seemed suddenly very ludicrous in the clean light of the courtroom. It seemed an activity appropriate for little boys and 007 movie actors, but not for grown-up men. "Look at yourself," Kunstler seemed to be saying. "Doesn't all this make you wonder about your life? Doesn't it make you feel childish?" . . .

February 21: Agent Stanley Keel's partner, Special Agent Charles Stephenson, finished testifying and was cross-examined by William Kunstler. tler's objective was the same as with agent Keel, to discredit the witness and question his credibility. The only added element was that now he had the first agent's testimony to play against Stephenson. In the course of a long afternoon Kunstler was able to point out several times when the testimony of the two agents differed about the same incidents.



"So Keel was in error?" he would ask Stephenson.

"To the best of my recollection," Stephenson would reply.

This agent was also tall and good-looking, impeccably dressed and had a little Indian blood. He spoke very fast.



The Defense Rests

— AIPA sketch

Most of them were older men and women who stepped lightly off the bus and were not wholly prepared for the cold Minnesota morning. They stood around on the cement in front of the courthouse and talked with each other and greeted each other, and a couple of older women sang some songs.

This was before the press got there.

As photographers, reporters, and cameramen struggled in, the Indians huddled in small groups, a couple of young men gave instructions, and circles were formed of dancing women carrying signs and singing more loudly now. Peace signs and clenched fists were raised.

The photographers and cameramen had a heyday. "Get the guy with the head-

Indian art of conning white-men-taking-pictures has reached a political level. You can still get the fierce, wrinkle-faced Indian in the headdress, but now he carries a sign that reads: JAIL NIXON, NOT MEANS AND BANKS.

February 14: A government undercover agent by the name of Stanley Keel testified, and was cross-examined this week. He is a thin, tall, good-looking man who claimed to be 7/16ths Indian. William Kunstler was one of the defense attorneys to cross-examine him. . . . A scene began to emerge. Kunstler was getting the agent to retrace his actions of those few days in February, 1973, when he had worn old clothes, made up a phony background, and pre-

[If your local media isn't carrying much news, Paula Giese of the *North Country Anvil* has these suggestions and comments:] Put Pressure on New York network headquarters and on the regional bureau heads. On one of the most important political trials ever held in this country, the media have done a job of coverage which is scandalously slight, belying any pretense of "journalistic objectivity."

In a media review article (*Twin Cities Journalism Review*, summer, 1973) I called the press "the major weapon the government used against the Indians at Wounded Knee." During the siege, this weapon worked by means of government propaganda, dished out by the hacks Nixon flew out to Pine Ridge to "handle the press". Now, it works by malign neglect.

Individuals and especially groups can write to and visit with media management (editors, news directors, etc.) demanding better coverage of this major event. The most effective demands will

be accompanied by brief discussions of facts and issues indicating why we think the trials are important and deserve fuller coverage. (The working press are often stymied by media executive decisions. One of the network's regional field producers in Chicago — a number one man for Midwest coverage who spent two weeks with a crew in Wounded Knee last year — told me he had been forbidden by his New York bosses to "spend any more money" on trial coverage, although he wants to and has many times requested authorization to take a crew to St. Paul.)

For example, I was in the AIM office as an Indian man came in to see Dennis Banks about Rev. Paul Manhart, the priest who was about to testify about "being held hostage" for a few hours in his church, long a symbol of white cultural oppression on the reservation. "Manhart used to be the head of the school they made us go to," he said. "I was there in 1950-52. They (the jury) should know what he did to us. It was to break our spirits. Manhart

was the worst. They didn't hit us — they made us stand with our arms up in the air for a long time, or leaning up against the wall, like a search. Your arms would start hurting after a while, your whole body. But we wouldn't give up — we wouldn't show them it hurt. We wouldn't give any sign."

The trial may be a non-event to the American public, but it does have the support of Indians all over the country, who, collectively, know a lot, and are a great information resource for the defense. Too bad few will ever hear what they have to say.

The Indian man talked some more about his "educational" experiences, then:

"I'd like to see Manhart. 'Hey, Manhart,' I'll say. 'Remember me? I'm here now — we all are.' " An expression of solidarity from a man who had come a thousand miles to tell about experiences he knew he would not be permitted to testify on in court.

Thus in court, and outside of it, the defense is looking pretty good, even before

"its turn" comes to make its case. If the government's main desire in these trials is to destroy AIM by jailing its leadership and most active supporters, discrediting and splitting the organization itself under the pressures of the trials, they might have given up on the trials by the time you read this, because that strategy is not working.

Most likely, though, the trials will be continuing, in poverty and obscurity, with defense efforts and educational outreach hampered by the demoralization of false hope, offered as a distraction.



(The *North Country Anvil* is a fine paper — subscribe by writing Box 37, Millville, Minnesota 55957.)

ST. PAUL EDITORIAL CHALLENGED BY RUSSELL MEANS IN CLASSIC EXCHANGE

(The April 9 edition of the St. Paul Dispatch carried an editorial, excerpts of which appear below. A week later, on April 15, the paper carried a response to the editorial by Russell Means, also excerpted here.)

... The suggestion of an Indian nationhood is evocative of the proposals for a black nation-within-a-nation popular among some black activists of the 1960s. In both cases, the objective is romantically appealing but totally unrealistic.

We have been powerfully reminded by the Indian protest movement of the callous injustices suffered by the various Indian tribes. The jogging of the white conscience has been accompanied, however, by foggy history and sentimental half-truths.

The Sioux, for example, were indeed "jobbed" out of their "homeland" in the Black Hills of South Dakota. It may be forgotten, however, that the Sioux, in their turn, had run a number of other Indian tribes off this and other western lands, after themselves being

run out of Minnesota by the Chippewa. They made no treaties with the peoples they drove off; the land was theirs simply by conquest, in the timeless tradition of conquests the world over.



The brutal fact — unrecognized because the federal government so long persisted in the hypocrisy of "treaties," most of them negotiated with Indian leaders who were either government pawns or at the mercy of federal troops — is that the Indians of North America were conquered by a better-armed and far more numerous invader.

To speak now of honoring the "treaties" of the past and to suggest that Indian sovereignties be recognized, is to traffic in fictions. It is to deal in dreams impossible of fulfillment.

The first step toward justice for the Indians and a resolution of the complex problems confronting them and the government is to admit the facts of history, however unpleasant they may be in retrospect. Then Indian and white can deal honestly with each other, without a screen of absurdities between them.

REPLY BY RUSSELL MEANS: The editorial exemplifies the supremacist attitudes Indian people encounter all over the U.S.

The underlying point of the editorial maintains the law of the jungle: might makes right. That all conquests by the Christian white man are divine, pre-ordained, and therefore just. Once again, the editorial attempts to justify the white man's belief in his manifest destiny.

The editorial states that Indian nationhood is equated with Black proposals. . . . The writer of the editorial forgets that from the time of King Phillip's war in New England, to Wounded Knee '73, Indians have been fighting to assert their rights to their homeland and the sovereignty of their people.

At one point Kunstler got him to admit that to him the Oglala Sioux and AIM are synonymous. There was a loud murmur in the courtroom. It was an inexcusably ignorant thing to say.

Russell Means laughed loudly. Prosecutor Hurd turned around in his chair and stared at him coldly. Means stared back.

Generally, though, reporters doodled on their notepads. The realization is finally surfacing that this trial will have some very long, boring stretches. The government has proposed to produce some 150 witnesses and most of the testimony will be of a similar nature. The process will be tedious. . . .

February 22: A new witness was introduced today. His name is Wayne Leo Romero, and he is a BIA policeman on the Pine Ridge Reservation. The purpose of his testimony was to establish that a caravan of Oglala Sioux and AIM members, including Russell Means and Dennis Banks, had come into the reservation in February, 1973, driven on to the Wounded Knee Trading Post, and taken it over. "Mahself and mah pardner followed the caravan in the patrol car," Romero said. They had heard shots fired at the Trading Post before backing away to report the occurrence.

In cross-examining Special Agent Stephenson today, Defense Attorney Mark Lane followed an interesting line of questioning that attempted to show how the agents' personal motives and career ambitions had a part in the writing of their intelligence reports.

After the two agents had introduced themselves and partly infiltrated the AIM organization and its supporters at a rally in Mother Butler Hall in Rapid City, they had apparently been invited to "crash" for the night. Later, however, the offer to crash had been withdrawn by the Indians who had become slightly suspicious of the agents. But the intelligence report contains no mention of the withdrawn offer.

Certain other important facts tended not to be reported, Lane maintained, particularly when they showed the agents' slip-ups.

The implication is clear. It applies to all intelligence gatherers: your report to your superiors not only summarizes what you learn, it is also the only possible evaluation of your own performance and abilities.

Men like Agent Stephenson or Agent Keel, maybe some of the attorneys around the prosecution table, have a strong ambition to succeed. They see a particular assignment, or a case like this one, in terms of doing a good job. They want to win it; they want to get higher ratings; they want to climb.

Earlier, Kunstler asked Stephenson if he had volunteered for this assignment.

February 25: [At a rehearsal of the Native American Theatre Ensemble] I was sitting off to the side, on a table. I was tuning in to the movement around me, trying to pick up detail, dialogue, sorting out lines of inquiry for myself, beginning to fashion out the rough sketches of an article, when Dennis Banks walked into the room.



Banks has a lot of presence. He is a quiet man, soft-spoken, but very direct. He was carrying a piece of paper, and it became evident that he was going to speak to the group.

"Are there any press people in the room?" he asked loudly.

"Yeah," I said.

"Where're you from?"

"Minnesota Daily."

He nodded. It had been a quick exchange, but it lingered uncomfortably inside me as he walked to one of his men and whispered to him. People were looking at me and I felt self-conscious; selected. Then, unobtrusively, a man came up to me. "Could you follow me?" he asked gently.

He was the man Banks had whispered to. Once we were out of the room, he said that Banks was about to hold a very sensitive meeting regarding something at Wounded Knee and they couldn't afford to have it publicized. I nodded.

I understood, but it was a strange feeling of reversed roles I had experienced and I couldn't quite shake it. For the past few weeks, I have been going around finding out about the American Indian Movement. . . . I have been watching people, observing without being observed; and yet, when I was pointed out by Banks in that large room and all the eyes fell on me, it took a supreme effort not to feel offended, excluded, hurt.

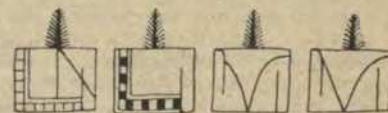
For the past year, the media has turned its gigantic eye on these people, on their movement, their goals, their needs; as a result, the seriousness has become sham and the sham has become seriousness. Tonight something serious was happening and no one wanted to fool around. The distinction was clearly drawn. If I experienced a few uncomfortable moments, I was also reminded that this movement is a lot more than manipulated media events or a few young Indian men throwing their macho around.

February 27: (first anniversary of the takeover at Wounded Knee) His name was Jim Propotnick, a federal agent and demolition expert. His mission: "To clear the bunkers at Wounded Knee of all explosive devices." Today in court, through his testimony, we were taken back to May 8, 1973, the day the siege ended, when Propotnick and other

federal personnel and some military units finally entered the Wounded Knee compound to dismantle it and finish the job.

"I was one of the first two or three people in," Propotnick said. "I went in on a jeep."

He walked from bunker to bunker, inspecting. The area was deserted. He carried a walkie-talkie in hand, and as he finished with each bunker, he called to his colleagues. . . .



He even recalled what he referred to as "the joke bunker," where the Indians had left hats and broomsticks poking out windows to confuse the marshals.

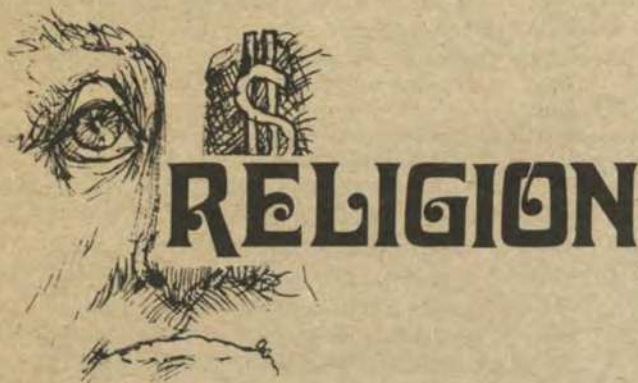
"Did you find anything else there?" [defense attorney Douglas] Hall asked.

Propotnick grinned. "Oh, there were a few messages for us," he said, looking over at the defense table, where Means and Banks whispered to each other and laughed at the year-old prank.

The agent went on to describe some of the bunkers in more detail; talked about the tunnels, the makeshift roofs, the wooden planks around the Catholic Church. He seemed slightly impressed by what he had found there, but he also was resolute in his push to finish the job. "I was pretty busy," he told Hall. "I wasn't too concerned with anything but dismantling."

"What happened to the material and to the bunkers?" Hall asked.

Propotnick seemed surprised by the question. "What happened?" he repeated. "Nothing, sir. First we dismantled them . . . the bulldozers came in to knock them down, and then (he gestured with his hands like a bulldozer) we filled the bunkers in. It all got leveled — and that was that."



MORMON CHURCH CHALLENGED TO SUPPORT NATIVE PROGRAMS, PEOPLE

Salt Lake City, Utah — The Church of Jesus Christ of the Latter Day Saints (Mormon) annual general conference was challenged in April to support and fund native programs run by native people and to change church policies regarding its native affairs.

About fifty members of the American Indian Movement maintained a vigil on the south side of Temple Square throughout the meeting. LDS officials did not meet with the AIM group, but instead issued press statements pointing out that it spends over \$6-million annually in "Indian programs."

According to Dave Hill — who later was to be assaulted in a Sioux Falls courtroom by a police riot squad — the demonstration was initiated by the Utah chapter and supported by the national AIM office.

One sign carried by a demonstrator, apparently an ex-Mormon, quoted the Book of Mormon to the well-dressed conference participants at the ostentatious structure: "For behold, ye do love money and your substance, and your fine apparel, and the adorning of your churches, more than ye love the poor and the needy, the sick and the afflicted."



Vernon Bellecourt, a national AIM leader, told media at the scene that AIM was a traditional spiritual movement seeking in a peaceful, passive way to speak with the leader of the LDS church, newly-sustained president Spencer W. Kimball.

Bellecourt said the LDS Church participated in the cultural genocide of native peoples since LDS Indian programs are designed for recruitment and consolidation of membership in Indian communities.

Mormons regard North American native peoples as Lamanites, descendants of the Lost Tribes of Israel, who were punished for their misdeeds by God, who darkened their skins and commanded them to wander like beasts in the forest. Native people who repent and become Mormons will have their skins turn "a light and delightful color" in heaven, the doctrine teaches.

Bellecourt challenged the LDS Church to set up a national board, dominated by native people, to administer self-help programs. Seven major denominations have already set up such boards. The AIM challenge also called for funding in the amount of \$1 per native person per year, or about \$1-million annually.

George Redstone, assistant Utah director of AIM, said that for every "successful" Indian recruited into the Mormon church, there were several dozen others who were pushed to the wayside with alcoholism, suicide, loss of culture and identity and similar social problems. Redstone noted that AIM members at Brigham Young University, a LDS school, were not allowed to wear their traditional hair styles, although the Mormons have a touring troupe called "The Lamanite Generation", billed as "A Friendly Indian Uprising," which relies on native culture for entertainment. Redstone said that many Utah AIM leaders, including himself, had grown up in LDS homes.

Leonard Crow Dog, national AIM spiritual leader, demanded the removal of Indian skeletons and skulls from an LDS museum on Temple Grounds, saying the remains deserved a proper burial.

AIM criticism centered on four areas: social services, missionary work, treaty obligations, and the general attitude of the church.

The student placement program conducted by the church, AIM considered, practiced cultural genocide by taking thousands of native children at a young age, away from their own homes into Mormon foster homes with the main purpose of indoctrinating the children into LDS religion. Often times native parents urge their children to go believing that the Mormon homes will offer their children more opportunity than they themselves can give.

"As a result," AIM said, the child can function in neither the white nor Indian society." Often, the child "is unable to speak his language, knows nothing of his culture, and has totally lost his traditions."

Early in U.S. history, the Mormons planned upon developing a sovereign nation in the west. It conducted a number of treaties, and AIM says none have been honored.

For example, an AIM statement cites the treaty of 1850, "conducted with the Utes guaranteeing that the church would share all wealth taken from the land which the Indian people allowed the Mormons to use. The treaty encompasses the Kennecott Copper Mine, the largest and richest open pit mine in the world."

While the church teaches Indian people on the reservations that they are "chosen people", in their home area Mormons reject the Indians totally, AIM charged. It noted that although native people are only about 1/2 of 1% of the Salt Lake population, they make up 8 to 15% of the total arrests.

AIM warned that one of the LDS tactics was to pit Indian against Indian for church benefits. It said that Indians would be encouraged to denounce their own at the request of the church.

And then that is just what happened. The church sent "two full-blooded Navajo Indians," Lewis J. Singer and George P. Lee, "to meet with the AIM group and the press. In a written press release, the church's public communications office said that while the church welcomed suggestions on its Indian programs, "the church must and will continue itself to determine its policies and programs concerning the Indians and others."

Singer, a guidance coordinator for the Kayenta School District in Arizona, and an LDS member, was quoted as saying, "The Navajo Tribal Council does not recognize AIM as speaking for our tribe. Most members of our tribe, both LDS and non-LDS, participating in Church programs, are satisfied that they are meeting the needs of Indians."

Lee, president of the College of Ganado in Arizona, said that the LDS church "is a character-building church, giving its members dignity and self-respect which are necessary to be successful in life . . . what we as American Indians need is an understanding of our true self and worth. In my judgment, the LDS Church is doing more than its share in assisting us in these matters."

AIM countered with a press release of its own, saying that it was unfortunate that the Mormon Church should "indulge in that old tactic of Indian versus Indian. It is unfortunate that these Indian men only get to represent the church publicly when other Indian people ask for assistance . . . We sincerely hope and pray the Mormon Church will someday respond in a positive way to our proposals, requests, and pleas for our people and truly consider what was said and not spend so much time trying to discredit the ones who said it."

AIM promised it would "continue to pray for the Mormon Church."

It also promised sterner action as a result of the cold reception in Salt Lake City's Temple Square. It asked all tribal councils to banish all missionaries of the LDS church from the reservation, to confiscate all Mormon property for tribal use, and to demand the return of all children on tribal rolls to the reservation and to their families.



Movement spokesmen made it clear their gripe was not with native people within the Mormon church, as "we see them as true Christians having lived that way for thousands of years before they heard of the man Christ." Instead, they said, their confrontation was with the bureaucracy of the church.

"This bureaucracy's agents, its missionaries, are still among us on our reservations and communities, competing with other churches for the minds and souls of our young, the new generations. If we are to continue to exist as the native indigenous sovereign civilization, we must not let the spiritual and cultural ethnocide continue."



— AP wirephoto
Leonard Crow Dog & Vern Bellecourt at the temple

An AIM open letter noted that Mormon-controlled corporations were involved in exploitation of native peoples in both North and South America.

"These policies of the church tend only to perpetuate Mormon superiority and keep the Indian people divided and dependent on Mormon colonialism," the broadside said. "We feel it is time for programs that will eliminate the poverty, land theft, and racism that confronts Indian peoples. We feel the church should change the oppressive conditions and quit wasting lives, time and money, trying to change people who have more human validity than the church."

Like traditional native leaders, Mormons also believe there is a time ahead of famines and natural disasters. Thus as many as 40% of Mormon families have stored up a year's supply of dried food in their garages and closets. Thus AIM suggested that the church could aid in building up food co-ops to provide proper nutrition, eliminate corrupt trading posts, and provide food in a time of rising costs.



The Mormon's Church Security Program of storing foods has been in effect since the Great Depression of the 1930s, when church head Harold B. Lee said the plan would be one "under which the curse of idleness would be done away with, the evils of a dole abolished, and independence, industry, thrift and self-respect would be once more established among our people."

Mormons also have 130 "bishop's storehouses" around the country — supermarkets without cash registers, with canneries in which well-to-do Mormons work alongside those of modest means peeling potatoes or pitting cherries for later distribution. The church produces its own crops, operates its own dairies, flour mills, and even has a coal mine to care for its needy. A giant grain elevator built by voluntary labor holds 191 carloads of wheat.

AIM said it wanted to discuss with the church about using Mormon "political and economic resources to help defend the tribes against the land and water thefts that we are constantly struggling against. . . . We have spent over a hundred years listening to their reason, and yet they tell us to be reasonable while they dictate the terms that Indian people must exist in when they live on the lands now controlled by the Mormons."

Indian reasonableness has been repaid by white exploitation, the statement said.

Noting that the Mormon hierarchy said it had to follow church doctrine until further revelations changed it, AIM spokesman John Trudell said "we want it known that we will no longer wait for their revelations. We have some revelations of our own for the church — we have peace within ourselves and love for our people."

THE CUSTER TRIALS



(Another set of trials was going on in Sioux Falls relating to an incident which led toward the occupation of Wounded Knee.)

Twenty-two persons have been indicted for their alleged roles in the February 6, 1973, disturbance in Custer, South Dakota, when a meeting with the state attorney there erupted into a free-for-all with riot police. The meeting was over the charge of manslaughter lodged against a white man who killed an Indian — the group wanted the state to proceed on a charge of murder.

The first set of trials started with five defendants:

— Delila (Lou) Beane — a strong activist on the Pine Ridge Reservation, and also a mother of eight children.

— Sarah Bad Heart Bull, 43, a mother of eight, including Wesley, whose death provoked the Custer confrontation. She lost another son a year later when Verlyn Dale was also killed by a white man in Allen, Nebraska.

— Kenneth Dahl, the only white defendant in the Custer cases, a long-time resident of Hot Springs and Rapid City. He took part in the February 6 protest from personal friendship with the Bad Heart Bull family and in solidarity with its cause.

— Robert High Eagle, of Wakpala, South Dakota, was a personal friend of Wesley Bad Heart Bull and an eye-witness to his killing. He had been in the office of the state attorney appealing to have the state proceed on a murder charge just before the protest erupted.

— David Hill, a Choctaw from Salt Lake City, is AIM coordinator for Utah.

The Custer cases were originally consolidated under Pennington County Judge Joseph Bottum, and scheduled for trial in Sioux Falls, but without notice, the trials were severed so that four of the 19 defendants will be tried before Judge Jon Fosheim in Pierre, South Dakota. That means defense attorneys must prepare for two jury selections and trials — as well as setting up a new legal office in a town known for its bias and prejudice toward native people.

Judge Fosheim is not popular with the defendants. He has upheld extremely high bonds, has refused to delay hearings because the attorneys of record were unable to appear because of other trials.

Defendants who must face Fosheim are Delila Beane of Pine Ridge, Ronald Bad Milk (both charged with injury to public buildings and riot); Paul T. Clifford, Jr., of Rapid City, charged with riot and second degree arson; and John Carlson, Minneapolis, charged with three counts of third-degree arson, two of riot, and one of third-degree burglary.

State law specifies that a defendant can have ten pre-emptory challenges, meaning that a prospective juror can be excused without having to give a reason. However, Judge Bottum ruled that this meant that all five defendants collectively could have just ten challenges, not ten each.

A survey recently revealed that 60% of South Dakota's European residents are prejudiced against native people, and the chances are high that the final jury would be highly prejudiced against native people. Thus the defense filed a writ in the state supreme court appealing Bottum's decision. Writs were also filed that all three defense attorneys should be allowed to participate in the examination and cross-examination of witnesses, and that a daily transcript of the trial be prepared.



The survey had been conducted by Jay Schulman, a New York sociologist considered to be an expert on jury selection. Schulman said three studies indicated that South Dakotans were aware of the occupation of Wounded Knee and of the American Indian Movement and that it had been his experience that persons who are aware of a violent action are more likely to be punitive in their attitude toward defendants.

Three newsmen also appeared on April 15 while pre-trial motions were being heard. They had been asked to turn over film, news scripts, or microfilm copies

of their material concerning the Custer disturbance and Wounded Knee occupation. All complied with the order. Those who testified were Earl Flowers, bureau manager of the United Press International office in Pierre, S.D.; Peter Sieler, news director of KRSD-TV in Rapid City; Jack Weaver, news editor of the *Rapid City Journal*; Leo Hartig, news director of KELO-TV in Sioux Falls; Jim Davis, news director of KSFY-TV in Sioux Falls; and Gary Hanson, news director of KXON-TV in Mitchell. All testified that the Custer incident and Wounded Knee occupation were among the top stories of 1973 in the state.

The defense contends pre-trial publicity influenced members of the grand jury that handed down indictments, and also has influenced any prospective jurors who will hear the case.

Assistant Attorney General William Janklow, representing the state, contends, however, that it was AIM itself who had sought out the news media via press conferences, and that the names of the actual defendants are not well known.

However, Bottum was not prepared to delay the proceedings until an answer could be obtained, and the court was not too swift with the reply. By the time the twelfth juror was chosen, defense attorney Ramon Roubideaux moved for a delay of pre-emptory challenges until word was received on the appeals. Bottum granted the delay for a day or so, and when the trial resumed, Roubideaux had to ask for further delay. Bottum refused, and Roubideaux said that he could not proceed with the case under those circumstances.

Judge Joseph Bottum
... a "standing up"
judge



"I suggest you consider this very carefully, sir," Bottum warned. "I do not want to have to find you in contempt unless I have to." He recessed the court for 35 minutes.

When court resumed, Roubideaux again declined to proceed. Next, Bottum asked the other two defense attorneys if they would proceed. Both declined. Bottum then suspended the two out-of-state non-Indian attorneys from participating any further in the trial, and found Roubideaux, an Indian attorney, in contempt of court. He ordered a \$100 fine and one day in the county jail.

Roubideaux was accompanied by a sheriff's deputy as he walked the one block to jail. Trailing behind were the five defendants and the group of 50 spectators who had been in the courtroom.

The dramatic confrontation took place April 25. Roubideaux read a statement calling the procedure a "legal lynching." He said the five Indian defendants were "being railroaded in ways reminiscent of Mississippi justice against the blacks." He said the trial was "a major political trial" in which any AIM members involved in AIM-sponsored activities would automatically be presumed guilty in any South Dakota state court.

That was the first time in his 24 years of legal practice that Roubideaux had been charged with contempt.

***** Standing on Principle

Standing up for men of high position is an old traditional custom of Europeans, apparently being a sign of respect. However, because many of the AIM supporters and the defendants had already indicated their lack of respect for Judge Bottum, they decided to stand would be hypocritical — as well as against the native custom that all men are equal and that the people make demands on their officials, rather than the reverse.

Refusal to stand for the judge is almost a standard practice in the current round of native trials, although there has been respect shown for certain judges, such as Fred Nichol in St. Paul.

So, on April 26, it was not surprising that the spectators and defense did not rise when the court was convened. But Judge Bottum took issue.

Bottum said he would not begin proceedings until everyone in the courtroom rose. A few reporters and white spectators stood — about 55 AIM supporters and their counsel remained seated. Bottum ordered that the court be cleared of spectators, then left the room.

The spectators sat quietly for about an hour. Then the bailiff and sheriff's deputies announced spectators would have to leave.

One man left. Then, one by one, spectators were dragged from the room, as orderly as that process would allow. One woman who said she was pregnant wasn't removed — deputies worked around her in removing other spectators from the bench. A little boy, in tears, was also allowed to stay because his mother was one of the five defendants in the case. Other family members were also allowed to stay.

Many of those in the courtroom who refused to stand were on their way to Crow Dog's Paradise in Rosebud country, where a Ghost Dance had been scheduled for the week of April 28. Caravans came in from Montana and Utah.

The Ghost Dance is a spiritual event, a praying. It was the Ghost Dance which was being done when U.S. officials became concerned at the "unrest" and slaughtered hundreds of Lakota at the Wounded Knee Creek in 1890.

As though repeating history, *The New York Times* headlined its article on the 1974 Ghost Dance as "DANCE BY INDIANS A SIGN OF UNREST". The article catalogued all the demonstrations and events of the last year, including the kidnapping of the mayor of Gallup, protests over the Alaskan oil pipeline, and, of course, the occupation of Wounded Knee.

The same day, the state court ruled against the defendants and Bottum's order for a limit of ten challenges stood. Bottum did decide, however, to reinstate the two suspended attorneys.

(A survey conducted by the Wounded Knee Legal Defense/Offense Committee to determine attitudes which would be held by a pool of people selected for jury duty turned up some interesting information about attitudes toward native people in South Dakota. Interviewers talked with 567 people in St. Paul, and 557 people in Sioux Falls.)

In St. Paul, 15% paid a lot of attention to the events at Wounded Knee; in Sioux Falls, 39%.

In St. Paul 7% thought the Indians were treated today very fairly by the U.S.; in Sioux Falls, 19%.

In Sioux Falls, 61% had heard of Russell Means and felt "unfavorably" towards him. Only 4% had never heard of him. In St. Paul, only 19% had heard of Means and felt "unfavorably" towards him; 41% had never heard of him. Figures for Dennis Banks are statistically similar.

57% in Sioux Falls disagreed with the statement that "AIM is working for the interests of the majority of Indians" while only 30% agreed. In St. Paul, 30% disagreed, 57% agreed.

Only 3% in Sioux Falls felt Indians had the right "to take over their own lands and do with them what they want." 7% in St. Paul felt this was all right.

50% in St. Paul said they sympathized with "the Indians occupying Wounded Knee", and 24% sympathized with the government. In Sioux Falls, only 9% said they were sympathetic with Indians occupying Wounded Knee, and 37% were with the government.

80% in Sioux Falls felt that "someone should be punished for what happened at Wounded Knee." 50% felt that way in St. Paul.

55% in Sioux Falls felt that the people who should be punished were the AIM Indians, compared with 21% in St. Paul.

During the second day of pre-trial hearings on defense motions, Vine Deloria, Jr., took the stand. Deloria, in addition to being a noted author, is also a Colorado attorney and researcher on native rights and treaties. He testified that ownership of the Black Hills under the 1868 treaty has been raised in state and federal court.

Defense motion challenges the jurisdiction of any South Dakota court to issue indictments in this case, claiming that Custer, South Dakota, where the alleged crime is said to have occurred, is still within Sioux territory under the 1868 Great Sioux Nation/U.S. treaty. Deloria explained that terms of the treaty grant the whole of western South Dakota to the Sioux "forever" and he testified to the U.S. takeover of the Black Hills. He enumerated the many fraudulent attempts by the U.S. to undermine treaty established boundaries due to the discovery of gold and other valuable minerals in the Black Hills.

His testimony brought out the lack of Indian agreement to treaties after 1868: never did the required three-fourths of a tribe's adult males vote in favor of the subsequent agreements of 1877 and 1889, as the 1868 specifies must be done. Even those who did agree did not understand the documents. Red Cloud, for instance, thought he was only leasing the Black Hills, saying he was giving "the tops of the hills" to clothe and feed his people.

Deloria said the jurisdiction of the area may be in dispute, but that dispute was between the U.S. and the Great Sioux Nation, and that left out South Dakota.

Courtroom Clash At Sioux Falls

(The next time court was in session was April 30. By the time the morning was over, the courtroom had been destroyed in a bloody battle with police who were enforcing the judge's order: "All rise!")

Present in the courtroom on April 30 were two representatives of the League of Women Voters, 15 clergymen of the American Lutheran Church (including four bishops), three members of the press, and 15 South Dakota native persons.

Bottum entered. Most refused to stand. Bottum withdrew to his chambers, and over the protests of defense attorneys, ordered the courtroom cleared.

Ramon Roubideaux reported back to the spectators that Bottum was "not going to back down on this standing-up proposition." Bottum had said, he reported, that standing up was not the main issue, but he declined to elaborate. He also reiterated that he was not prejudiced against Indians.

Hill, who follows traditional religious beliefs, then addressed the group, asking what the clergymen thought Christ would do in the situation. He then led the people in the courtroom in a prayer — and everyone in the room stood up for the spiritual message, although they had refused to stand for the judge.

Federal Community Relations Service personnel tried to defuse the situation by asking Judge Bottum to remove the riot-equipped tactical squad from the third floor to minimize the potential for violence. He said there was nothing more he or anyone else could do.

As the group left the judge's chambers, Bottum extended his hand to Russell Means, who had been called by the judge into the conference, and said, "Mr. Means, good luck today."

When the results of the meeting were relayed to the spectators, the four Lutheran bishops went to see Judge Bottum. Shortly afterwards, they returned to the courtroom. Captain Callahan of the Sioux Falls police entered and ordered the bishops out. The bishops refused to leave. Callahan then asked the bishops to step back so they could be "protected." When a spectator asked for protection for the Indians, Callahan replied, "You Indians will get your protection!" Then an officer of the court ordered the room cleared — but no one left. Then the tactical squad moved in with helmets, face guards, riot batons, mace and guns. No badges or nameplates were visible.

It was immediately apparent that they had not come to carry spectators from the room, but rather to attack them. They stormed past the bishops, heading for the Indians, ignoring non-Indians in the group, although all persons had been ordered to leave. The first person to be struck was defendant Dave Hill, who was, as a defendant, not ordered to leave the room. At the time, he was standing talking to his lawyers.

Using their clubs, the authorities subdued most of the demonstrators. Some clergymen took refuge under the pew-like benches. The courtroom was left in a shambles — smears of blood on the walls, broken glass on the floor.

There were numerous injuries. The clergymen appeared shaken, but none were hurt. When the fight started, one large courtroom window was smashed with a chair, bringing news of the conflict to about 75 demonstrators on the street three stories below. They began to storm the courthouse, smashing windows and glass doors with rocks, bricks, and tire irons. More than 100 windows were broken.

The group outside the courthouse was dispersed by a riot control gas from a chemical fogger machine.

Unofficial estimates by insurance adjusters placed the damage at about \$9,000 for replacement of glass alone.

Sioux Falls Police Captain Earl Callahan said the squad which moved into the courtroom were 24 specially trained and equipped state riot-control men, who went into training specifically to deal with Indian disturbances — they started their training right after the Custer confrontation a year ago.



Hill was the most severely hurt, and was hospitalized. He will probably lose the sight of one eye as a result of the attack. All Indians were injured in some way or another, with ten requiring hospital treatment. None of the clergymen were hurt. Four policemen required treatment.

Afterwards, Bishop Edward A. Hansen, of Willmar, Minnesota, president of the ALC's southwestern Minnesota district, said "the whole thing was tragic." He added that "you saw two fixed positions: a judge who felt he could not maintain the order of the courtroom if the people would not stand, and the Indians, who would not yield on this point. He said Hill had been severely beaten and "body dragged to where I was standing."

Another observer, Ray Johnson, Minneapolis, director for national ministries of the ALC's Division of Life and Mission, said he felt that "an excessive display of power was evident." He observed that there was a "lack of expertise" in handling the negotiations.



Bloodied Dave Hill is carried from the Minnehaha County Courthouse after being attacked by police

Rep. Wayne Owens, a Utah Democrat, said he had asked the Justice Department to investigate the courtroom incident.

On May 3, Bottum ordered that the trials would resume May 14. He also severed from the trial of the four others the case of Dave Hill. Hill heard that news from a stretcher, as Bottum had ordered him brought from the hospital to be in the court. For once, there was no question about Hill not rising.

When court resumed, Bottum accused Roubideaux in open court of staging the whole thing as a publicity stunt. Roubideaux politely accused the judge of being prejudiced because he threw Roubideaux in jail, but let the two white defense lawyers go.

"I talked to other judges before coming here," Bottum asserted. "They said I have to enforce the rule [about standing up for the judge] or I'd be nuts. If I don't enforce the rules, they'll take over the courtroom."

Prosecutor William Janklow made an appeal for "an end to violence."

"That was a nice speech," Dave Hill replied from his stretcher. "I wish you would have made it before that mob of cops came in."

Defense attorney Jack Pratt added that it was "not the defense who brought in guns and clubs" and "not the defense who initiated the violence."

After court, Hill blasted the judge's decision to sever him from the case. "If the state was interested in justice," he said, "they would postpone the trial until my physical condition improved."

His attorneys agree that Hill's severance "would be very prejudicial" to the case.

Some 50 extra South Dakota riot police have been moved in to aid Sioux Falls forces. Helmeted police stood in the county courthouse armed with long riot clubs and shot guns. No general spectators are allowed in the building.

Bottum has been in the public eye for forty years now — including terms as a U.S. Senator, lieutenant-governor of the state, and a prosecuting attorney. He has been active in the Boy Scouts, Chambers of Commerce, and in the Elks Club, which maintains a whites-only membership. He is the son of a circuit judge. Bottum went to the Senate by appointment to fill a vacancy, but when he ran for re-election, he was defeated by George McGovern in 1962.

Roubideaux said Bottum had been a pretty good judge but that in this "Custer thing, he's bound and determined to show the Custer people how he's going to hang a bunch of Indians. He's a completely different man from the one I knew before. I think it's a response to a bigoted electorate." Bottum is currently running for re-election.

Bottum has attracted attention because of his daily jogging (sometimes through downtown Sioux Falls for the three-mile jaunt, his state highway patrol body-

guards following in a car) and his singing in a Rapid City barbershop quartet.

Judge Bottum denies he is racist. "There's a lot of good Indians," he said to a reporter. "I've had a lot of letters from them since the trial started. They say I'm doing a good job." The 70-year-old Republican also said as a lawyer he had represented "hundreds of Indians" for nothing, and that as a judge, he had "put a lot of Indian boys on work-release (where men in jail leave during the day to work.)" Bottum said he would bar spectators from his courtroom when jury selection resumed. He told Associated Press reporter Tom Brettingen he saw no reason to risk another outbreak of violence.

"After two incidents like this, I'll be very hesitant about allowing anyone except the defendants, their families, and the press into the courtroom," he said.

Arrested in the aftermath were Ted Means, 27, of Porcupine; Bill Flood, 25, of Rosebud; Dewey DuBray, 40, of Rosebud; Kenny Kane, 26, of Cherry Creek, and Curtis Bald Eagle, 29, of Pine Ridge. DuBray and Flood were charged with assault with intent to do great bodily harm, and the others were charged with misdemeanor assaults. Thus the string of legal events set into motion by the death of Wesley Bad Heart Bull — including the occupation of Wounded Knee — will continue on into the future, one shock wave setting off another explosion in ever-widening rings.

(When those arrested in the courtroom battles entered the city courtroom, Municipal Judge Robert Patterson had diplomatically arranged to be seated and present so there would be no need for anyone to rise when he entered. However, when the defendants were marched into the room by police, a spectator bent low and said loudly, "All rise" — and everyone stood up for the entering defendants, including the judge.)

Law-And-Order Forces Defend Judge's Stance

Law-and-order forces, through the South Dakota Sheriff's Association, came through with support for Judge Bottum. They cited him for showing "great courage in the face of potential and actual trial disruption."

Gov. Richard Kneip issued a statement from his office about the "disturbance." He said he is committed to firm and equal application of the law.

"It is imperative to the well-being of society that we preserve those systems which protect the individual and the total," Kneip said. "I want to state for all to hear that I do not intend for this state to become a place where fear becomes the major emotion of life. We intend to use restraint in dealing with our problems, and those creating them, but I want it clearly understood that we will not concede to lawlessness." Kneip said that he recognized that the state's system of justice was not perfect, but "we are constantly striving for it."

Roubideaux said that Governor Richard Kneip should appoint a committee to investigate the violent incident saying such a probe "would go a long way to ease tension and lead to constructive action."

The governor's statement didn't much help the Messiah Lutheran Church in Sioux Falls, however. It suffered \$46,000 damage when struck by fire the same night the courtroom battle occurred. The fire is believed to have been caused by white vigilantes. The Rev. Vern Severson reported he had received an anonymous phone call asking if he was one of "the Lutheran ministers supporting AIM..." A molotov cocktail was found in the bushes outside of the church after the fire was halted.

And enforcement of the law was paid for dearly by Al and Nettie Gough, an elderly couple killed in their car when it was struck by a highway patrol car at an intersection in Sioux Falls a block from the courthouse. Patrolmen Pat Culhane and Al Grovenburg said they were rushing with siren and lights flashing to get to the courtroom to participate in the confrontation with the Indians.

After the Battle Was Over

About 200 people attended a quiet rally in front of the shattered windows of the Minnehaha County Courthouse the next night to hear AIM leaders speak. The street in front of the courthouse at the edge of the city's business district was jammed by passing cars until Mayor M.E. Schirmer blocked one end with his own car, and a police detective blocked the other.

Mark Lane also spoke at the rally, saying that the quest for justice would not end in Sioux Falls. "We, the working people, the black people, the poor white people, the Indian people, the Chicanos of this country — we build this country brick by brick, just as we built this courthouse, brick by brick, and if we are denied justice, we the people can take it apart brick by brick just as we built it."

During the rally, AIM security men noticed a rifleman in the Holiday Inn hotel across the street. They went to the hotel desk, and were told the room was rented to a John Smith, a police officer. When the AIM security reached the room, the room was vacated, although the window was still open. While they were there, the phone rang. Mark Lane answered.

"This is the front desk," a voice said. "You'd better get out of there — some Indians are on the way up."

And Curtis Bald Eagle, one of the defendants in the courthouse incident, was assaulted and stabbed at 9 p.m. on May 3 outside the Rainbow Bar located diagonally across the street from the building which houses the legal team. Assaults on the street near the offices have been a common occurrence.

"We will no longer tolerate the harassment of drunken white courage," an AIM press release proclaimed on May 6. "We are serving notice on the bar owners in the city that if they cannot control their drunks, we will go straight to the source and deal with the situation once and for all."

Although a warrant was issued for AIM national chairman John Trudell for destroying a sign in the mele that followed Curtis Bald Eagle's stabbing, no arrests were made of the man who wielded the knife.

South Dakota Declared War Zone

On May 6, the American Indian Movement issued a statement saying it considered South Dakota a "zone of war" and urged a boycott of the state by tourists. AIM cited the police riot in the Sioux Falls courtroom April 30.

The statement said Indians would assume that all tourists were in South Dakota either to help Indians or to hurt Indians. It said that those who wanted to hurt Indians should report to U.S. Attorney William Clayton for further instructions since that seemed to be his job, and those who wished to help Indians on a voluntary basis as clerks, nurses, mechanics, teachers, etc., should call (605) 339-9805 for directions.

Governor Richard Kneip of South Dakota responded to the AIM declaration of war by saying that "this small group of terrorists shall not interfere with the normal life of our state."

Kneip said the due process of law would prevail in his state despite efforts of those he termed "terrorists" and "hoodlums."

"I think it is important for South Dakota and the nation to recognize that these people seem dedicated to destroying our constitutional system and bringing terror to the hearts of our people. I will use every resource at my command to guarantee to the people of South Dakota and to those who choose to visit our state that this small group of terrorists shall not interfere with the normal life of our state and the enjoyment of millions of people who visit us each year."

Senator James Abourezk termed the war-zone declaration "both irresponsible and empty." He said leaders should be working to ease tension, not to increase them.

Dick Wilson, tribal council chairman at Pine Ridge, was also quick to denounce the AIM statement. He called for all "freedom loving Indians" to stand firm against "these instant-Indians" who become traditional leaders overnight.

Attorney General Kermit Sande admitted that the South Dakota Tactical Team — the riot squad — was in Sioux Falls, but said this was only for a "training session" and that their presence was not related to the Custer trial. The team is composed of 90 full-time law enforcement officers from across the state.

Others arraigned in Sioux Falls include: Edgar Bear Runner of Porcupine, charged with riot; Bobby Joe Tiger and her mother, Lois, both of Sioux Falls, Vernon Bellecourt, Al Cooper. Eventually a total of 11 persons were charged. Judge Robert Patterson set a preliminary hearing date of June 28.

An application to South Dakota's U.S. District Judge Fred Nichol, who was in St. Paul hearing the Means/Banks trial, was filed asking him to restrain Judge Bottum from interfering with the defendants rights to a fair trial in Sioux Falls. However, Judge Nichol denied the application. The motion alleged that Bottum was preventing the trial from being fair "through his continued harassment and deliberate and intentional provocation" of the defendants and their supporters.



Lutheran Church Burned Out . . . vigilantes?

Early in the case, defense attorneys had petitioned a federal court to take jurisdiction of the case, saying that it was not possible to receive a fair trial in state courts. The petition was denied.

Tension is High, but Business as Usual

Tension in Sioux Falls remained high. On May 14, a garage operator sprayed a group of native people with a fire extinguisher, and Indian women threw rocks at state prosecutors.

Earlier in the same day, Russell Means was arrested at the Sioux Falls airport where he was preparing to fly back to his trial in St. Paul. (Details are with the pages on the St. Paul trials.)

The garage operator assaulted the native group with a the fire extinguisher when one of the group grabbed a camera from an employee of the garage. No one was injured, and there were no arrests.

Meanwhile, over in the federal courthouse, Judge Andrew Bogue was pondering whether to delay or transfer the trials for the Custer defendants. A defense motion had asked for a cooling-off period of 120 days if the trials were to remain in Sioux Falls, or a transfer to a more neutral scene. The motion said that it would be impossible to have a fair trial under the existing tension.

But that motion — and another asking for the disqualification of Judge Bottum — were dismissed without comment by Judge Bogue.

So jury selection resumed. In two days, Bottum was forced to dismiss 11 out of 22 persons interviewed for the jury because they said they would be prejudiced against the defendants. Even among the jurors already chosen there was prejudice: Bottum had to excuse four jurors because they said they no longer felt impartial toward the defendants. Still another was excused because he said his wife was expecting a baby.



Defense counsel John Pratt objected to holding court in the civil defense headquarters to which the trials had been moved. He said the trying of the case in a "police compound" set an "incredibly dangerous precedent."

Bottum answered that the civil defense facilities offer "a new, well-organized and attractive courtroom. This is not a police bunker."

The courtroom can hold only about 30 spectators, and only press, attorneys, defendants and their families are allowed to attend court.

"This is not an open trial," defense attorney Ramon Roubideaux said. "There are a lot of people outside the building who want to be in the courtroom."

Reber Boulton, an attorney with WKLD/OC, said, "They try to do all the little things that make it look like a real trial, but it's not. The atmosphere is like a prison — a little room of the blockhouse, out-of-town, behind locked doors, metal detectors and armed guards, cut off from the public, cut off from all reality except that of a prison."

Judge Bottum told the jurors that Hill's case had been severed from the others because he "met with an accident," and referred to the police attack in his courtroom as a "little disturbance" and a "mild scuffle."

The state dismissed a charge against Delila (Lou) Beane, who had been charged with riot where arson was committed. Defense attorneys said she had injured her back, and requested that the trial be held over for a few days to give her an opportunity to recover. Prosecutor Janklow said that instead, he would dismiss the indictment.

Ms. Beane still faces charges of injury to a public building and riot in connection with the Custer incident, and she will be tried on those charges with three other persons in circuit court at Pierre at a later time.

Again, Judge Bottum denied without comment motions asking him to disqualify himself or declare a mistrial.

In more than one instance, the defense had to use their challenges on clearly prejudiced prospective jurors. For instance, Judge Bottum refused to excuse one woman whose husband works in a factory where an anti-Indian vigilante squad was set up. The woman made it clear that she did not disapprove of such actions. On other occasions, Judge Bottum has asked jurors who didn't think they could be fair if they wouldn't "try."

The final jury of seven women and five men:

Rodney Ensz, 25, a maintenance worker who is Lutheran; Judith Erickson, 37, Republican, Lutheran, bank employee; Arlys Gleysteen, 26, oil company secretary, Democrat; James Julius, 22, office worker, Republican, Baptist; Lucille Kisters, 52, bank secretary, Christian Reformed Ch.; Harold Natvig, 41, a banker, Lutheran Church, Republican; Sylvia Nelson, 52, a postal clerk; Kenneth Olson, 22, city accountant, Evangelical Church; Robert Schmichael, 24, auto painter, Methodist, Democrat; Judith Sieps, 24, housewife, Republican, Christian Reformed; Dona Souter, 38, a housewife, Republican, Lutheran; Judy Thompson, 32, employed in an electronics firm.



U.S.' Most Massive Trials Have Little Help

The Wounded Knee Legal Offense/Defense Committee has been operating under extreme pressure. Not only do they have to prepare for over 300 cases, but now they must work in four separate locations: St. Paul, Sioux Falls, Pierre, and Lincoln, Nebraska. That means four offices and housing, four legal teams. Most of the workers are volunteers, and many have found that the trials are dragging much longer than they had expected. Working long hours under difficult circumstances, lacking equipment, and under stress of tight security, workers have often packed up and left or just caved in with the pressures.

The Wounded Knee Legal Defense/Offense Committee continues to be short-staffed — native people with office skills, legal skills, etc., are very much needed.

Also, funds continue to be short, even with lawyers and workers on a volunteer basis. Individuals are encouraged to initiate local fund-raising projects with support groups, churches, and rallies, to insure that WKLD/OC has enough cash to prepare an adequate defense.

Contact:

WKLD/OC
Box 255
Sioux Falls, South Dakota 57104

Pine Ridge Elections Probed



Sioux Falls, South Dakota — A complaint challenging the legality of the February 7 election on the Pine Ridge Reservation has been filed in federal court here on behalf of Russell Means and 28 named voters of the Oglala Nation.

In that election, controversial tribal council chairman Dick Wilson became the first person to ever be elected to two consecutive terms in that office, defeating Russell Means who had led in primary balloting. Immediately after the election, there were charges of fraud, coercion, and other irregularities.

The complaint charges that Wilson and his agents deprived the Oglala people of a free election, contrary to their due process and equal protection rights under the Indian Civil Rights Act and the Civil Rights Act of 1871. It seeks a new, independently supervised election within 45 days of the judgment.



— Ted Hetzel photo

At Home at Pine Ridge

The complaint said that Wilson had conspired with others to insure his re-election through deliberate disregard for tribal election procedures, and that anti-Wilson proponents were intimidated.

"It was a huge mistake to trust that the people of Pine Ridge could get a fair and free election without supervision by independent neutral observers," Means said in announcing the suit. "The election is just additional proof that Wilson's is a puppet government, that his allegiance to a few at the expense of most of the Oglala people keeps them living in poverty, without jobs, with inadequate medical care, and with few hopes for the future under the oppression that Wilson has created. These are the causes of the 1973 Wounded Knee incident."

Tribal elections are conducted within provisions of the tribal constitution, which in turn is authorized by the Indian Reorganization Act of 1934, passed by the U.S. Congress.

Judge Bogue had earlier ordered the ballots impounded pending filing of Means' complaint.

Among the irregularities charged in the suit were:

- ineligible, non-Indian, underage, and non-resident voters were allowed to vote.
- in certain polling places, more than twice the number of ballots were cast than there were names on the qualified registered voters' list.

- numerous persons voted more than once.
- several official ballot boxes were in the possession of candidate Wilson on election day.
- tribal police went from door to door having people mark blank ballots, later returning them marked and putting them in ballot boxes.
- "absentee" ballots were improperly received.
- Wilson was present in an office to which ballot boxes were delivered, opened, and some ballots unlawfully removed.
- election observers for Means were not allowed to be present during the election at some polling places.

In addition, the suit outlines the campaign of harassment and intimidation surrounding the election:

- pro-Means people were assaulted and threatened.
- a list was circulated to a police official of homes to be firebombed if Wilson was not re-elected.
- armed supporters of Wilson publicly threatened violent retaliation if Wilson was not returned to office.
- notices were mailed to welfare recipients threatening termination of benefits if Wilson was not re-elected.
- alcohol (illegal on the reservation), money and food was offered and delivered as bribery to secure votes.

Means and the other petitioners alleged too that complaints of assaults and other illegal acts were not acted upon by BIA police officials, and that the conspiracy to reelect Wilson included agents of the federal government as well as tribal officials. They cite as evidence:

- federal money was knowingly used to support an auxiliary private police force known as "the goon squad" who harassed and threatened anyone opposed to Wilson's administration. The creation of such a police force was unauthorized.
- federal funds were diverted, with knowledge of federal officials, from child care, flood relief, and other purposes, for logistical support of the goon squad and for other Wilson campaign purposes. These practices continued despite an independent tribal audit showing the improper diversion of funds.
- BIA employees and police threatened to run American Indian Movement members off the reservation near the time of the February 7 election, coincidental with identical threats from Wilson and his agents.
- deliberate inaction by BIA commissioner Morris Thompson to assure a fair election despite requests for impartial observers.
- deliberate failure to convene the entire tribal council over many months. It was the small executive council which chose the highly partisan pro-Wilson election board.

It also sought a halt to the inauguration of the newly elected officials. District Judge Andrew Bogue, who is hearing the case, refused to order a postponement, however, and the inauguration went on as scheduled.

The Department of Interior went to unusual steps to show their backing of the Wilson regime. The two top officials in Indian Affairs were sent to Pine Ridge, with Marvin Franklin, assistant to the secretary of interior for Indian affairs, speaking at the inauguration and Morris Thompson, commissioner of the BIA, addressing the opening meeting of the tribal council.

Although BIA superintendent Al Trimble announced the meetings were "open to the public", the newly-elected councilmen who had announced their support of Means had some difficulties.

Three of the duly elected councilmen were blocked from entering the inauguration meeting because they could not present "a special invitation". They were Marvin Ghost Bear of Batesland, Severt Young Bear of Porcupine, and Frank Star of White Flag.



BIA police and special BIA agent Del Eastman told the three men and their supporters "you are not welcome here". A fourth councilman, Jack Steele of Wounded Knee, on learning of the treatment of his fellow councilmen and their Oglala voters, then refused to enter.

In refusing to halt the inauguration, Judge Bogue had said that Means and other plaintiffs could not present any evidence of irreparable harm if the ceremony were to proceed.

"I can't understand what could be more harmful to the rights of voters in three districts than to have their representatives denied the right to attend their own inauguration," Marvin Ghost Bear said. "The inauguration proceedings themselves would force us to join the conspiracy of the puppet government, ignoring our traditional Indian ways, and swearing loyalty to a government which has oppressed us for over 400 years. I will not be a tool of that cultural genocide."

One of Wilson's first moves after election was to pluck \$30,000 from the tribal treasury to fly a hand-picked group of council members and top officials to Washington, D.C., to request funding for failing BIA programs.

Some residents of the reservation have been working quietly to gather enough evidence to demand a grand jury investigation of the BIA and tribal police and tribal court system whose alleged brutality and illegal acts are shielded behind a "law and order" front.

The election is being probed by the U.S. Commission on Civil Rights.

(This editorial on the elections at Pine Ridge appeared in the Omaha World Herald on February 24.)

It is now 0 for 2 for the [Russell] Means type of Indian leadership. The AIM failed to come into power in Indian affairs by violence at Wounded Knee, and Means failed at the ballot box.

The democratic process has rendered a verdict which ought to say more than the rhetoric of the militants.

Violence At Pine Ridge



(One of the things that happens when people become demoralized and de-culturized — and don't know how that happened or what to do about it — is to turn their anger and frustration on each other. Violence subsides only when people understand their situation, and individually or collectively start to deal with it. Pine Ridge, South Dakota, is a case in point.)

Violence has become a way of life at Pine Ridge. Per capita, this small group of 11,000 people must have one of the largest rates of slayings in North America. That is not because of the nature of the people — this is a new phenomenon caused by the social stresses and violent atmosphere which surrounds every waking act.

Edward Joseph Standing Soldier, for instance, a 17-year-old basketball player from Holy Rosary Mission was killed by a .22-caliber weapon fired by Gerald Janis, a Pine Ridge resident. Janis said he had heard glass breaking, and that he fired at a figure who had

kicked open his bedroom door. Another youth received neck and hand wounds when he tried to wrest a knife from two other youths who had accompanied Standing Soldier in the February 18 incident.

A month before, an 18-year-old youth, Edward Means Jr., was found in a Pine Ridge alley. Whether his death was caused by freezing, or by injury was not known.

Jackson Washington Cutt's body was found in Parmelee on September 11. A federal grand jury returned an indictment against Rudolph Runs Above, charging him with second degree murder.

On November 18, Pat Hart was shot and critically wounded. Two BIA police are said to be responsible for the shooting, but there have been no arrests.

Philip Little Crow was killed on November 13, although news of the death was not revealed by police until four days later. Irvy Hand, known to be a cohort of Dick Wilson, tribal council chairman, has been found guilty of manslaughter.

Pedro Bissonette, well-known Oglala civil rights leader, was slain October 17, also by BIA police.

Del Eastman, BIA police chief at Pine Ridge, said that his force was so understaffed, they had about 75 felony investigations they were "sitting on", and there were

still 200 from the previous year that had not been investigated. For a time, Eastman says, he was the only criminal investigator on the reservation.



Eastman had hoped to get more help, particularly after law enforcement officials from federal forces who had been at Pine Ridge were recommending a 30-man force. Instead, there was a budget cut, and even fewer men can now be maintained.

Former superintendent Stanley Lyman admitted that prior to the occupation of Wounded Knee, the "goon squad" of tribal council supporters which brutalized any opposition to council president Dick Wilson, had been issued government-purchased Mace and clubs. He also said they had been sworn-in by him as deputies.

The current law enforcement budget at Pine Ridge is \$331,400. That means the force will have to be centralized at Pine Ridge, leaving outlying districts like Wanblee and Kyle, having to wait 1½ hours for an officer to appear in response to a complaint.

Even having officers in the district doesn't necessarily solve the ill feelings which the police have aroused — the officer at Wanblee last year had his house and car shot up.

There is a high drop-out rate from police recruitment. Eastman says that U.S. Marshals trained two dozen recruits for police positions, and out of that, he hired ten men — a few months later, only two are still working.

"They were not stable people, did not report to work on time, some had financial problems, didn't know how to handle their money," Eastman says. "They would pick up their check and not report back. When you have a tight schedule, you have to have these people on the job. Our original group the marshals trained had 40% which they recommended we do not hire."

Eastman feels that the "permissiveness" shown by the law enforcement personnel sent to control the Wounded Knee occupation, plus the permissiveness of the federal court system, is causing crime to increase.

"Wounded Knee has brought out the fact that you can commit crimes on a reservation and get away with it," Eastman says. "This year we are having felonies committed at the rate of one a day."



Eastman complained recently to Chicago reporter Terri Schultz that assaults with deadly weapons lately had increased by 200%.

And he said he knew the reason why. "We made more than 2,000 arrests during the siege, and how many people do we have in jail? Zero. Hell, if I were an Indian on this reservation, I wouldn't worry about committing a crime." Eastman usually refers to those Indians who don't like the BIA as "them."

Eastman says that the hostility shown to BIA police has also contributed to his manpower shortage.

"I've had wives call my office and inquire as to where their husbands would work after an incident had occurred. After the shooting of the police officer's house

in Wanblee, we had two officers come in and resign," he states.

The bureaucratic snafu is blamed by Eastman for the funding problems, and the resulting problems with unqualified officers.

"We were promised from the central office down during Wounded Knee that, 'When this is over, you're going to get funded, you're going to get the type of people you need, we're going to see that you get the training, you're going to get new cars,' Eastman recalls. 'Well, we got a budget cut.'"

He had hoped that there would be permanent civil service positions set out so that "professional" policemen would be attracted to the jobs.

"I'd like to bring in as many outside policemen as I can because there is a tendency on the part of local people not to trust some of the local people we have hired because they feel that they have a definite political affiliation with one side or the other. But how can you do this when all you can offer a man is a temporary position that is being funded 90 days at a time, and he's got a family to feed? You just don't get the caliber of people you would like to have."

During Wounded Knee, Eastman said he even went so far as to advertise in the *National Army Times* for people who had military training, who are Indian, and who are willing to come to Pine Ridge.

Results were poor, Eastman said. "Not just every policeman in the country is jumping at the chance to come to Pine Ridge," he points out.

Eastman knew his job was going to be a tough one. When he arrived at Pine Ridge, the official who had hired him had just been relieved of his job, and was packing up to move.

"If you want some advice," the official said, "turn that U-Haul trailer around and get the hell out of here because there's going to be trouble."

Eastman gets angry when he is accused of being an extension of Wilson's tribal government.

"I told the force that if they wanted to go play Wilson's games, they could just go over and work for Wilson,"

he states. He blames the charges of favoritism on the way the Pine Ridge situation has polarized: "If you are anti-Wilson, you are AIM, and vice-versa. That doesn't leave much room for people in the middle."

(Thanks to Ann Pearce for helping with this information.)

BENNETT COUNTY: IN-AGAIN, OUT-AGAIN AS COURT RULES IT'S OFF RESERVATION

Pierre, South Dakota — South Dakota's Supreme Court ruled in February that Bennett County is not part of the Pine Ridge Reservation. The land has long been in dispute, and the ruling is not expected to quiet that dispute.

During the occupation of Wounded Knee, BIA police and federal officials turned back a group of marchers on highway 18, conveniently claiming they had the right to do so because they deemed the county to be "Indian land."

The decision involved a man of Indian blood, Donald Cook, who was convicted of burglary in Bennett County. He appealed, contending that the state did not have jurisdiction over him in that county.

Bennett County was sold to white ownership in 1910 by an Act of Congress which ordered the sale.

In February, U.S. District Judge Andrew Bogue ruled that four counties — Gregory, Tripp, Mellette, and what was Lyman — were no longer "Indian Country" and thus state jurisdiction applied. He noted that his decision would have "great political, social, cultural, and economic effects" over a large portion of the state. The decision was rendered in a suit brought by the Rosebud Sioux Tribe against the state attorney general.

Judge Bogue noted that while it was obvious that the congressmen had coveted Indian land and that he did not agree "with the methods employed at that time," he said his function was to determine congressional intent, not to rewrite history.

REAL ESTATE AT PINE RIDGE

It happened in 1970. A real-estate agent knew a man who wanted to rent land belonging to Hildegard Catches. The agent asked Mrs. Catches if she would be willing to rent, but she ignored the offer.

The agent rented Mrs. Catches' land anyway. He signed a contract on her behalf. He said he had her written permission to do so. He did not.

U.S. Bureau of Indian Affairs records show that such land transactions happen all the time on the Pine Ridge Indian Reservation. Records also show that the unauthorized transactions involve thousands of landowners and hundreds of thousands of dollars and acres of land.

The "real estate agent" is the U.S. Government, as represented by the BIA.

Most of the landowners are Oglala Sioux. The renters are cattle ranchers, some of them millionaires.

The situation which allows — in fact, encourages — the unauthorized land transactions is complex.

Mrs. Catches is, in many respects, a typical Pine Ridge landowner. She owns interests in seven parcels of land. She is a 2/15th owner of three parcels, a 1/15th owner of another, a 4/135th owner of another, a 2/135 owner of another, and a 1/90th owner of another. She owns nothing outright. Her total interests add up to 159.87 acres.

Mrs. Catches inherited her land. The land she owns was originally allotted her forebears through the Allotment Act of March 3, 1889, which gave each Oglala Sioux householder 640 acres, his spouse 320 acres, his children 160 acres each.

As the original landowners died, the land was divided among the heirs. As the heirs died, the land was divided up among their heirs.

Eugene Eggleston, a BIA range conservationist for the Pine Ridge Agency, estimates there are now about 830,000 acres of allotted land. The land has about 7,000 owners, who have about 45,000 separate ownership interests.

This complexity of ownership [caused by restrictions in the federal law] creates problems because large tracts of

land are necessary for the reservation's main industry, cattle ranching. On an average, it takes about 27 acres to feed one cow per season, Eggleston says.

To work through that problem, the BIA has divided the reservation into 347 "range units", parcels of land ranging from 320 acres to more than 27,000 acres.

The grazing rights on these range units are put up for bids every five years. The current five-year period runs from November 1, 1970 to October 31, 1975.

According to federal regulations, the permits are granted to ranchers only after "proper authority" has been obtained on "all Indian allotments" within the range units.

It is at this point the system breaks down. The BIA grants the grazing permits without obtaining authority from the landowners.

Eggleston of the BIA says that in 1970, only about 25% of the landowners gave permission for grazing permits. Mrs. Catches was one of those who did not. Yet, permits for her land were granted.

Mrs. Catches is listed as an "O" in the computer code which designates whether she gave authority for grazing permits. The "O" means she "could not be located", which, if true, would legally give the BIA the right to grant the permits without her specific authority.



But Mrs. Catches is easy to locate. She lives on the reservation. She teaches at the Holy Rosary Mission, only a few miles from BIA offices in the village of Pine Ridge. In January, she ran for public office, and was the third highest vote-getter in her district.

One of Mrs. Catches' pieces of property has 16 co-owners. Only one of them gave authority for a grazing permit, yet the permit was granted. On another piece of Mrs. Catches' property, there are 28 co-owners; only four signed permits. The permit was granted.

In Mrs. Catches' case, as in many others, the amounts of money involved are small. On one of her properties, she gets \$11.29 per year in grazing fees and on another, she gets \$70.53.

Eggleston admits the BIA is not abiding by regulations when it grants permits without authority from the landowners, but he reluctantly defends the practice.

"When you get down to specific cases," Eggleston says, "you protect the land use as long as the landowner doesn't object."

Eggleston contends the majority of the landowners want their land to be grazed so they can collect the rents, and fail to grant authority simply because they know the BIA will carry out their wishes without specific authority.

Eggleston says he has objected to the practice. But he says, "I have been instructed by several superintendents at different times in my 15 years with the BIA to do it the way we do it."

Also, he says, "I have concern about the fact that we don't have the authorities, but we can't convince the BIA to live by the rules or have them changed."

If any landowner objects to having his land used by others, Eggleston says, a grazing permit will not be issued for that land. But the landowner must come forward and make a specific objection before the BIA will deny a permit.

Even then, the landowner has little assurance his land will not be used by others. BIA regulations demand that land without grazing permits be fenced out by ranchers who control the land around it.

If the rancher does not build a fence, he must make a deposit equal to the amount of annual rent which would ordinarily be charged for the unpermitted land. If the rancher's cattle trespass onto the unpermitted land, the rancher must forfeit the deposit to the land owners.

The effect of these regulations is that the rancher, if he chooses, can let his cattle graze on unpermitted land. The only penalty he must pay is the rent he would have to pay if he were renting the land legally.

Another kind of tenant land use which exists on the reservation is leasing, in which the rancher signs a five-year contract with the landowner for use of the land. The leases are binding contracts, whereas grazing permits can be revoked at the end of any yearly grazing period.

Six of Mrs. Catches' seven parcels of land are under grazing permits. The seventh is leased.



Mrs. Catches did not give permission to have her land leased. She claims the agency superintendent forged her name on the contract.

The superintendent did not, in fact, forge Mrs. Catches' name. He signed his own name "on behalf of" Mrs. Catches, citing a regulation allowing him to do so.

The regulation says the superintendent may sign for "Indians who have given superintendent written authorization to execute leases on their behalf."

Mrs. Catches says she has never signed anything. The lease, on file in the vault of the BIA real property office, does not include a written authorization from Mrs. Catches.

[Another Catch 22 situation used by the BIA has to do with the rules for "incompetents." The BIA assumes that any normal sane person would want to lease out their land rather than let it sit idly. Thus if a person will give permission, the lease is signed. And if the person refuses to give permission, he is deemed to be incompetent — and the lease is still signed, but this time by the BIA. Catch 22.]

(Thanks to Harley Sorensen, staff writer for the Minneapolis Tribune, and to that paper, for continuing fine coverage of native situations.)

THE PRESS ON TRIAL



(Judge Nichol subpoenaed AP photographer James Mone to check on the prosecution's claim that an unpaid informer, rather than information from an illegal wiretap, had been used to support an application for a legal wiretap. This photo of Mone, carrying an M-16 and riding in an armored personnel carrier at Wounded Knee, was released by the United Press International, a rival wire service. Mone said later this photo was taken by a U.S. Marshal, and that he had planned to send it to Mone's wife. Instead he shared it with another photographer, and then through a chain of events, it ended up in the hands of UPI. Another interesting fact: Mone was an unsuccessful applicant to join the FBI a few years ago.)

James Mone, an Associated Press photographer, gave evidence April 15 into the special hearing on the wire-tapping. His presence on the witness stand has caused a wave of controversy to spread through the ranks of journalists and raised new concerns among native people about how to conduct press relations for maximum coverage at minimum legal risks.

Judge Nichol issued the subpoena for Mone, saying he might be able to "straighten out" the conflicting testimony of earlier witnesses. Also, Nichol wanted to find out if Mone had requested that his name be kept confidential, saying that if he had not, the FBI had a "very easy way" to deny information to the defense.

Mone told the court of conversations he had had with the FBI agents guarding entrances into the Wounded Knee area. "Did you see any guns?" an agent had asked him.

Mark Lane then asked Mone, "You felt it was a stupid question?"

"Oh, sure," answered Mone. He said he would have estimated seeing about 60 rifles. But an FBI teletype report entered in evidence earlier quoted an "unidentified source" who had left Wounded Knee March 12, the day of Mone's conversation with the FBI, as saying he had observed 200 to 300 weapons among the 350 to 400 persons in the village.

The teletype report also said — and Mone conceded telling agents this — that he, Mone, was increasingly concerned about the increased percentage of non-Indians inside the village.

RANCHERS SAY NBC TELECAST INJURED THEIR REPUTATION; \$45-MILLION ASKED

Rapid City, South Dakota — Forty-six ranchers who lease Indian lands have filed a \$45.4-million libel suit against the National Broadcasting Company here.

The suit says the NBC evening news telecast on April 6, 1973, contained comments by newscaster Fred Briggs, who traced for "millions of television viewers" the history of U.S./native land dealings, and the shrinking of Indian lands. He then said that 90% of the land at Pine Ridge Reservation is leased to non-Indians and, according to the complaint, he implied that the ranchers "have taken unjust advantage of Indians which has caused them to have a sub-welfare standard of living. The suit was filed May 10.



The ranchers contend the broadcast constituted "a false and unprivileged publication which tended directly to injure (them), their trade and business." They claim NBC aired the program knowing statements it contained were untrue, and did so with "such recklessness and carelessness as to amount to a wanton disregard of the rights of the plaintiffs."

Mone's conversations occurred during a seven-week span at Road Block One outside Wounded Knee, although only those on March 12 were consequential to the case. It was a common practice for federal police to take journalists into armored personnel carriers for "debriefing," often with the implied threat that lack of cooperation would mean that they would not be permitted to return to the occupation. Three FBI agents and marshals kept a checklist of journalists, sometimes denying access to the hamlet from their roadblock.

Mone described the conversations as "bantering." The FBI had sharp ears open for information from any journalist enticed by the friendly chatter. On March 12, Mone "bantered" about what he had heard at a news conference, staged by Russell Means, and attended by 40 to 60 newspaper, radio, and TV people. He "bantered" about the size of the occupation force, their weapons, and Means' comments about a sovereign Oglala nation. He inferred that Means had trouble controlling non-Indian supporters on the scene.

After the agents showed more than casual interest by asking him to repeat certain information, Mone said, "Hey — I don't want my name used." On the stand he said it had crossed his mind that his talk might endanger his life. He also observed his employer, AP, "doesn't particularly like us to have to testify."

The FBI report had used the term "(protect)" after his name. Assistant U.S. attorney R.D. Hurd, who unsuccessfully tried to conceal Mone's identity, called him a confidential but unpaid source.

Mone was suspended by the Associated Press — indefinitely, but with pay — after he testified at the trial. Wes Gallagher, AP president, declined to discuss Mone's pay status, but said Mone had "acted improperly as an impartial newsmen" contrary to an AP policy against any AP man being "involved in any way in any news story." Later, he was told to resign or be fired. He refused to resign, and has asked the Wire Service Guild, the union to which he belongs, to take his firing to arbitration.

Mone said he intended to challenge his suspension. "I've had a lot of newsmen tell me that what I did was no different than what they did out there," Mone said. Two AP writers from Minneapolis have admitted they too talked with the FBI about activity inside Wounded Knee.

Law enforcement officials and journalists have a love-hate relationship. Both are in the business of gathering information, often the same information simultaneously. Philosophically, both in their own ways serve the public interest, but in reality, their overlapping roles often conflict.

The Mone case differs from the familiar "public right to know" situation that conflict creates. Here the question is what the law enforcement officials can legitimately expect from the journalist, not what the journalist should get from the government side. And then there is the question of how the journalist balances his duty as a cooperating citizen against the duty to his calling.

John W. Hushen, director of public information for the Justice Department, in a speech to the Milwaukee chapter of the professional journalism society, Sigma Delta Chi, said the AP action in suspending Mone was "deplorable." He was "appalled," Hushen went on, that the world's largest news service would discourage a citizen from cooperating with law enforcement.

Hushen's contention was that newsmen have the same responsibilities as other citizens when they "see criminal activities occurring." Mone, he said, was penalized for doing his duty.

The ranchers said that as a result of the newscast, they have been treated badly. Their complaints are not unlike those of native people — "... exposed to hatred, contempt and ridicule," "injured in good name, fame and credit," and "brought into public disgrace and infamy among their neighbors and in their community."

Also, the lease-holders say, Briggs' statements "caused and continues to cause the plaintiffs to be insecure in their homes due to the riotous condition stirred up by the broadcast. Property on the reservation has been burned, damaged or destroyed; livestock slaughtered or maimed, and life threatened ... Ranchers had to resort to the drastic and expensive measures of carrying guns to protect themselves ... and still live in constant fear for their personal safety."

The ranchers ask for varying amounts of compensatory and punitive damages. Ranchers suing NBC are:

Merton Glover, Leonard Schultz, Donald Deckert, James Berzina, Orville Schwarting, Glen Shepardson, Richard Marshall, Gordon Goarnson, Charles Sasse, C.M. Case, Max Deckert, Dale Witte, Robert Pitch, Marion Schultz, Loren McMillan, Ronald Jensen, Jim Budd, Robert Faulk, Bly Rous, William Leavitt, Willard Kuxhaus, Raleigh Swick, Edward Novak, Kenneth Sterkel, Norman Drobny, Larry Kehn, Vernon Sager, Frank Grooms, Durrell White, Keith Oller, William Rust, Lloyd Shepardson, Charles Kuxhaus, Norman Schwarting, Maurice Nelson, Norman Davis, Owen Davis, Daniel Elwood, Harold Backmaster, Monty Kuxhaus, Leo Kratovil, Lester Gotheridge, Delbert Rust, Sam Sears, Taylor Merrick, and Marilyn Permenter.

Hushen conceded that the Justice Department had difficulty getting "good intelligence" from inside Wounded Knee and took advantage of opportunities as they presented themselves.

"What kind of example do we have set by the world's largest news-gathering agency?" Hushen asked. "One of actually discouraging citizens from cooperating with law enforcement, with condoning those who say they don't want to get involved, with penalizing someone for doing his duty," he answered. "I'm personally appalled at the AP's action. Speaking for the department, it was deplorable."

In Washington, Attorney General William B. Saxbe replied that he concurred with Hushen's comments.

"It's kind of discouraging when you're trying to get public participation in law enforcement to run into this situation," Saxbe said.

In reply to that, AP president Gallagher cited 1970 and 1973 Justice Department policy guidelines that said the press would not be considered an "investigative arm of the government" and pledged that the "prosecutorial power" would not be used to impair the journalist's function.

Gallagher agreed that sometimes a journalist with knowledge of a crime should report it to law enforcement officials, but said that in situations like Wounded Knee, sources on the other side would refuse to talk with or even ban journalists suspected of providing information "routinely and voluntarily" to the FBI.

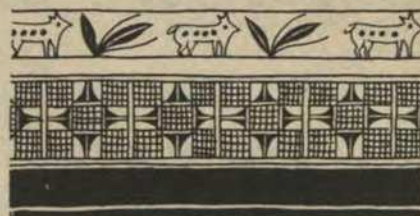
Gallagher said cooperation of that nature would raise enormous barriers and endanger the lives of journalists "who must report the activities of radical groups" by gaining their confidence.

Rose Robinson, executive director of the American Indian Press Association, praised Gallagher's action. Mone's informing, she said, "cast a pall of suspicion over all working journalists, and in the case of American Indian reporters, they are left in a position of jeopardy in future actions ... We applaud your action."

He Who Laughs First, Sticks Neck Out

But if UPI was chortling over the photo-find, they had a short laugh. An FBI interview report given to federal prosecutors on May 23 at the trial identified Bruno Torres, a UPI photographer, as the source of information.

The source says that FBI agents interviewed Torres on March 26, 1973, at the UPI office in St. Louis where Torres worked. The photographer was in Wounded Knee from March 3 to 13 on assignment. The agents who wrote the report said he supplied information about automatic weapons he saw, an airplane that delivered supplies to the village, the brief detention of the postal inspectors, and about Molotov cocktails. He also identified Dennis Banks as having a weapon, the agents said.



(Thanks to Austin C. Wehrwein of the Minneapolis Star Editorial Page staff, and to the Associated Press for info.)

SOUTH DAKOTA SENATE TOUGHENS UP RIOT ACT TO GAIN NEW CONVICTIONS

Pierre, South Dakota — The state senate passed a bill here in January raising the penalty for participation in "riot" a felony punishable by up to two years in the state penitentiary. Current law provides a lesser misdemeanor penalty.

Senator Kenneth Trask, a Custer Republican, said riot was use of force or violence, or even threats of force accompanied by the immediate power to use force by three or more people.

"The attorney general has had a great deal of difficulty charging persons with crimes in this area," Senator Oscar Austad of Sioux Falls said. "I don't think innocent people have anything to fear. Let's give police officers a break and bring law and order to this land." He did not specifically mention the series of "Indian disorders" which South Dakota has experienced in the last two years.

Senator Homer Kandaras, a Rapid City Democrat, objected in the debate.

"We have laws covering acts of violence and riot," he said. "This law is an attempt to send to prison persons we couldn't otherwise convict." The bill passed, 22-12.

(Thanks to Terry Woster of the Associated Press for info.)

the dakotas

AIM REPORT CRITICIZES ARMY CORPS, CONDITIONS AT FORT BERTHOLD

(A five-person fact-finding team of the American Indian Movement recently looked into conditions affecting the people of the Fort Berthold Reservation in North Dakota. These are some excerpts from the written report submitted by John Thomas of AIM.)

The Fort Berthold Indian Reservation in North Dakota is made up of three affiliated tribes — the Mandans, the Gros Ventre, and the Arikaras. In 1936, they wrote their constitution and bylaws [under the Indian Reorganization Act of 1934] which stated that the boundaries for their reservation were granted them by their treaty of 1851. At the present time, very little of that land is left.

The people lived along the sides of the Missouri River which went through the heart of the reservation. The soil was rich along the river, approximately 80% of the timber was along this spot, game was plentiful and the hunting and fishing was good. Because of the richness and goodness of the soil, the people were pretty much self-sufficient.

However, in the early 1950s, the Garrison Dam was built across the Missouri here on the reservation. The people were flooded out of the rich bottom land and driven up into the hills. The unemployment rate jump-

ed to 85%. After the flooding, the people had to adjust to a new way of life. They started living a poverty existence. Even though they were paid for the loss of the lands they were flooded out of, the money did not last that long.

The tribal government itself is the number one complaint, suppressing those people who are standing up and fighting for their rights. The council is made up of ten people parialed from each of the five segments in which the reservation is divided. Nathan Little Soldier is vice-chairman for the reservation, and has powers over the council. There is very little dissension on the council — the tribal government always has its way. As an example, they borrowed \$1.5-million to buy Indian land from private Indian citizens, selling it to the Dank family. They in turn lease it out to white ranchers who again sublease it to other white ranchers.

Another major complaint the people had was the so-called "peace bond" situation. It works like this: a complaint could be filed against those individuals the tribal government wants to silence, and they would be put on a \$180 peace bond to last for a year. The people would have to put up the money or signatures for their land. If they did anything during the year, they were arrested, the bond was revoked, and they would have to spend time in jail. It intimidated the people to the point they were afraid to come out of their houses. [The young tribal prosecutor] has no legal background. A white judge is brought in from off the reservation.

One other area of major concern is the land rights and the role the Army Corps of Engineers plays in helping parcel out Indian land to white people. After they built the dam, flooding the people out of their homes, the Corps stated that they own the shoreline, and also a buffer-zone extending out into the reservation itself. They are selling the shoreline property to white citizens who are developing it for their private interests, and who must pass through private Indian-owned land to reach their land.

There is also a town in the heart of the reservation called New Town, which has a mayor, a town council, and in which the stores are white-owned.

As the energy crisis increases the demands placed upon Indian land have no limits. Three gasification plants are going to be built, with water piped from the reservoir to them. Yet [some] people on the reservation have to haul their water or melt snow. Another example is concerning the oil lines on the reservation. Every 20 years the tribe signs new easement rights with Aamco Oil. For this, the tribal government receives \$63,000 which they want to put in the American Indian Bank located in Washington, D.C., as an investment. [Yet] the people have to borrow their own money at interest rates through a local bank and in doing so would have to use their own land as collateral.



Other complaints the people had were about the discrimination in housing, the Mandaree school, the school board, the electoral board, the dictatorial powers of one family, and the fact that the federal programs are not benefitting the people for whom they were intended but only a select few. And meanwhile, the role of the churches continues to confuse the people.

GANIENKAHAKE



— photo by Kanietakeren

This Sign Was Hung at The Gate of Kanienkene

Eagle Bay (Ganienka) — A group from the Mohawk Nation — more than fifty persons — have occupied an area of land in the massive Adirondacks State Park so that they can live and raise their children in the traditional way.

Spokesmen for the group said they assumed there would be no need for a confrontation, since they felt a legal and moral right to the land. Early indications were that area residents were lending support to the group, and were respecting their wishes to remain free of visitors and intruders.

The camp has maintained a strict security, allowing no press into the encampment. Only those native persons who would be willing to live off the land, and to live in accord with traditional spiritual beliefs have been allowed to take up residence.

Forest Ranger William Marleau said, "I have no instruction other than to patrol the area and leave them alone."

Apparently the State of New York, which took up the land after the Revolutionary War, had adopted a policy of letting the encampment sink or swim of its own accord. If it fails and people leave, there will be no problem. If it succeeds and people live in harmony with the wilderness area, the State can point to their "enlightened policies" with pride.

If there is a dispute over their presence on the land, Mohawk leaders said, they would be glad to have the United Nations decide the matter.

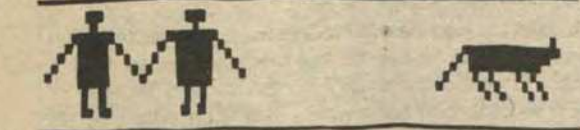
The land currently occupied is an abandoned Girl Scout camp recently purchased by New York State. It is being used as a base camp, with the idea that people will fade back into the forests to live by hunting, fishing, gardening, and gathering.



Karoniaktajeh (Wolf Clan) . . . let us alone



—Capital News/Fred McKinney photo
Kakwirakeren explains situation to state forester



"There should be no reason why this issue cannot be handled in a calm, legal fashion. It would seem, on the surface of such issues, that the burden is on the white man to bring about a just solution to make up for the many injustices the Indians have been dealt in the past," an editorial in the *Utica Daily Press* said.

THE SOUTHWEST • RAGING • MOURNING •



Thousands of native people march through the streets of Farmington, New Mexico, in a silent remembrance and protest of the senseless killings of six native men. Later, three more bodies were found, freshly killed.

SERIES OF RACIAL SLAYINGS LEAVE AT LEAST NINE DEAD; TENSION HEIGHTENS

Farmington, New Mexico — The brutal slaying of nine native men — apparently one by one — has turned an already tense situation into explosiveness.

The latest round of killings occurred June 1 near Gallup, New Mexico. The bodies of two Zuni men and another unidentified male were found by top police officials. One body had several dozen stab wounds. That same afternoon, there had been a police riot in Farmington where Navajos had gathered to protest the killing of three other men a month earlier.

For several weeks, thousands of native persons have gathered in Farmington for a silent march through the streets in an effort to deal with racial prejudice and mistreatment by the non-native townspeople. After four such marches, and in an apparent effort to stop them, the Sandoval County Sheriff's Posse, a quasi-official paramilitary group, applied for a parade permit, saying it was their turn to have a march. They were granted the permit.

The Navajos still came to Farmington on Saturday, but this time to line the streets to watch the armed show of strength parade. Many units passed without incident, but as the "Cavalry," a mounted unit, came by, Navajos blocked the parade route, saying that the time had come for the Cavalry to be out of the Southwest.

Police attempted to open the route, eventually using tear-gas and violent force. Other march units joined in the free-for-all.

It was the same night that three more bodies were found near Gallup.

A Silent Remembrance of Husbands, Fathers, Sons

The earlier Navajo parades had been silent protests — peaceful, yet strong and dramatic. Crowds of people spanned the four-lane street, stretching for blocks and blocks. Stores and bars were closed.

In those marches, less than a dozen participants were Anglos — three of them area ministers. Earlier, about 300 Farmington High School students signed a petition condemning the deaths — but they did not show up for the vigil.

"Where are all the 35,000 Anglo people?" one marcher asked. "Don't they support our protest?"

One message came from the Farmington mayor and council, expressing "outraged concern and deep sympathy" to the Navajo people over the slayings. But they too did not participate in the protest.

Three white teen-age high school youths were committed to the state school for delinquent youths until they are 18 as the penalty for the brutal beating deaths of the three men found near Farmington. For a time, it was uncertain if the three — two 16-year-olds and one 15-year-old — would be tried as adults for first-degree murder, or as juveniles. The decision was to hold closed hearings in juvenile court.

John Redhouse, a Navajo, said the killings were not surprising. "For years, it has been almost a sport, a sort of sick, perverted tradition among Anglo youth of Farmington High School, to go into the Indian section of town and physically assault and rob elderly and sometimes intoxicated Navajo men and women of whatever possessions they had, for no apparent reason other than that they were Indians," Redhouse charged. "There have been too few arrests and charges. Far too many times the police have been ineffective and insensitive to the many complaints expressed by our people."

The remains of the men were found in late April. Autopsies showed their heads had been crushed and their bodies partially burned. Dead were David Ignacio, 52, of Huerfano, New Mexico; Herman Dodge Benally, 34, of Kirkland; and John Earl Harvey, 39, of Fruitland.

"As near as I can tell, there was no provocation," assistant district attorney Bryon Caton said of the slayings. "I don't think we'll ever know the motives. These were senseless killings."

Authorities are trying to find links to the deaths of three other Navajo men, whose bodies were found in May, 1973, near Gamarco, New Mexico. The dead men were Kee Emerson Jones, 54; George Dennison, 47; and Gilbert Saunders, 26.

TRADING POST OWNER SLAYS YOUTH; EARLIER MELEE TRASHES POST BAR

Safford, Arizona — Vernon Wesley, the son of the tribal vice-chairman and a former president of the National Congress of American Indians, was fatally shot by a trading post owner here March 16.

Justice of the Peace Ruth Barnes ruled at a pre-trial hearing April 8 that Gene Mayfield, owner of the Geronimo Trading Post, should stand trial for murder of the 19-year-old youth, the son of Edmund Wesley. At the close of the three-hour hearing, about 100 Apaches slowly and quietly filed out of the courtroom, apparently satisfied with the ruling.

Steve Pike, 23, gave key testimony, saying he saw Mayfield enter the tavern with a rifle, heard a shot, and saw Wesley fall backwards. He also testified that Mayfield had yelled, "Everybody out! You've given me enough trouble already," just before the shot was fired.

Similar evidence was given by Franklin Cheney. But Tom Mayfield, a bartender at the tavern and a brother to the accused man, said that Wesley had refused to leave and had grabbed the gun. During his evidence, there were several outbursts by spectators, accusing Mayfield of trying to protect his brother.

Last December, Mayfield had the bar and gas station portion of his trading post totally wrecked after he allegedly evicted an Apache man from the bar, causing serious head injuries. The establishment is just off the San Carlos Reservation.

That melee lasted about four hours. Jerry Robbs, Graham County undersheriff, said his office had received a call from Mayfield about "a drunk Indian who had a knife." Robbs said that when he and deputy Garth Lunt arrived at the trading post, they found Everett Stanley, 40, of Bylas, on the cement just outside the entrance to the bar. He had been injured.

Stanley reportedly had been shoved out the door by Mayfield, who said Stanley had been wielding a knife in the bar. According to police, Stanley was still clutching the knife as he lay unconscious. He was bleeding profusely.

While officers were arranging for an ambulance, several men, who Mayfield described then as "outside militant elements," tried to assault him. The police officers told him to take refuge in the trading post, locking himself in. At this point, according to police, the two officers were also attacked by six of the men.

Robbs said he fired his pistol into the air to free himself and Lunt long enough to radio for help. By this time, about 20 Apaches had started breaking windows and doors and tearing up the inside of the building, the police claimed. They tore out two gasoline pumps and took beer and other merchandise from the store.

A fire was set inside the building, but the flames were extinguished by the police and some Apaches. Two policemen from Pima and two highway patrolmen came to assist Robbs and Lunt. However, the six men decided to turn off lights to the building and retreat to a safe place, hoping the destruction would die down.

Robbs said, "It was either a matter of killing somebody or letting them tear the place up."

JURY FINDS GUILT IN POLICE SLAYING; DEFENDANT PROTESTS FRAME-UP

Phoenix, Arizona — James Manuel Romero of Taos, New Mexico, was sentenced February 27 to an indeterminate prison term of up to 20 years for the slaying last September of an Apache County sheriff's deputy. He had been convicted January 31 of second-degree murder after a jury deliberated for two days.

Deputy Delbert Berry, 32, of Lupton, was fatally shot as he drove into a Lupton trading post parking lot in response to a complaint of looting called in by owner Tom Shirley, a Navajo.

Officials tagged the death as an "AIM slaying," taking pains to show that Romero and others at the trading post at the time of the slaying were AIM members.

The federal building where the trial was held was under tight security — AIM members maintained a vigil outside the building and gathered in the courtroom hallway. There were no serious incidents. Tom Galbraith, Romero's court-appointed attorney, failed to obtain a new trial for his client — he argued that the atmosphere of the trial was prejudicial to his client.



The situation leading up to the shooting had begun at an AIM-sponsored Red Arrow Unity Camp near Deer Springs. Most of the occupants of the camp were young, angry, native men and women who had struggled at Wounded Knee or marched in the streets of Gallup. Others were young people from the reservations who had seen little of the new Indian scene.

Some of the youths wanted to drink — and there was a rule of no drugs and no booze in the camp. So they headed in a rented van to the Lupton trading post to get some beer. After a brief drinking spree, they headed back to camp. On the way back, they stopped at Tom Shirley's trading post.

Del Berry, an Apache County sheriff's deputy, was the first to arrive at the scene in response to a call from the trading post. As the car approached the rental van, slowly coming to a stop, the car was surrounded by about 20 Indians. A shot was fired, passing through the car's window, striking Berry under the armpit.

Romero says he was in the van when the deputy drove in. He heard the shot fired, jumped out, and saw a man, Henry Rodriguez, standing next to the police car. Rodriguez was holding a 30-30 rifle, Romero says. Romero grabbed the gun, and the two ran into the hills.

Henry Rodriguez was captured a short time later along with Henry Ortiz, another person who was among those in the crowd at the scene. They were later both placed in the same cell, along with one David Smith, of Lima, Ohio, who had been arrested for interstate transportation of a stolen vehicle in a completely unrelated incident.

Some witnesses said that when they were arrested, the government offered them immunity from prosecution if they would testify for the prosecution's case.



There were no eyewitnesses to the shooting. The U.S. relied on the evidence of two witnesses who claimed they heard him admit the slaying. One witness, Regina Sandoval, 14, now states she "is not sure" she heard Romero make any statement. Henry Ortiz, 18, claimed he saw Romero with the murder weapon, but three other witnesses have said that Ortiz is part of a conspiracy to frame Romero.

David Smith, an Ohio resident, testified that he twice overheard Ortiz in a conversation with Henry Rodriguez, who is being sought by the FBI, say they would "pin it on the Indian." Two other witnesses have corroborated Smith's testimony.

Smith said he had heard Rodriguez begin to tell Ortiz in Phoenix what to say to the investigators so that Ortiz's story would match his. Smith said he was taken from the cell for awhile, and then when he returned, he heard Ortiz tell Rodriguez, "I've got it down pat."

Later, Smith met Romero at the federal detention center at Florence, Arizona, and told him he thought he might have been the Indian discussed in the plan.

Romero testified that Rodriguez later offered him \$5,000 to admit the shooting.

Health :



SHORTAGE OF DOCTORS AND MONEY POSES SERIOUS INDIAN HEALTH THREAT

Washington, D.C. — "It's a disgusting situation," says the chairman of the U.S. Senate subcommittee on Indian Affairs, James Abourezk of South Dakota.

He's speaking of the inhuman neglect of health conditions among native American peoples because of a critical shortage of doctors and medical funds.

"These people have the highest rate of disease in the country," Abourezk says of the native peoples. "The incidence of tuberculosis among Indians is 8 times the national average — unless they are treated soon, there is a real danger of the disease reaching epidemic proportions and spreading out of the reservations into the whole country."

Other serious disease epidemics have broken out already in the reservations serviced from the Aberdeen, South Dakota, offices of the Bureau of Indian Affairs.

"We believe the urgency of the present situation cannot be overemphasized," Abourezk was told in a memo by the staff of his subcommittee. "The backlog of people needing corrective surgery is now past 20,000, including 13,000 children."

While the United States at large has one doctor for every 650 persons, there is only one physician for every 1700 reservation residents. And most of the 492 doctors now assigned to Indian Health Service were recruited from the military draft — which ended last July. Without the draft, the supply of doctors will dry up.

"Some 200 of our doctors will be finishing their tours of duty this June," says Dr. Jim Felsen of IHS. "We are understaffed as it is."

Dr. Everett Rhoades, vice-chairman of the Kiowa Tribal Council and one of only 38 native physicians in the United States, told the subcommittee that "reasons other than financial security" made it difficult to attract physicians into rural native areas. He cited such things as the American cultural environment: theatres, symphonies, libraries, and the like, coupled with the lack of opportunity for "professional growth" and a lack of good housing, recreation, and schools. Doctors, it seems, do not like to live like Indians.

There is little possibility of attracting more doctors by paying higher salaries — President Richard Nixon has impounded IHS money four of the last five years, causing a shortage of funds for pay increases, and allowing IHS facilities to fall into deplorable condition.

"In the Aberdeen area alone," the memo to Abourezk reports, "60% of the buildings being used by IHS have been declared unfit for use by state inspectors. For example, Rosebud Hospital was constructed in 1914, and has been condemned even by IHS, but for lack of funds, they will have to make do."



The poor facilities and lack of personnel are compounded by general poor health in the native population. For instance, diabetes is a common disease on reservations. It can be controlled by diet, but this is difficult when many people live almost entirely on surplus commodity foods. Social disorganization leads to high accident rates and violence, and malnutrition and neglect as well.

Considering all this, Abourezk is outraged at the impounding of funds. The \$15.5-million appropriated and impounded by the Nixon Administration "literally is forcing IHS to play Russian Roulette with the lives of Indian people," he charged. "To bring the patient care capability up to an adequate level, some \$40-million more is needed, with approximately \$10-million additional for salaries to fill staffing deficiencies at the present authorized level."

Analysis of the 1974 appropriations request indicates a program activities budget for IHS in the amount of \$178,968,000, representing a \$9-million increase over 1973. However, the entire amount of the increase has to go to mandatory pay increases and other statutorily required costs so that for the first time since 1955, there is no increase in program for IHS.

"When it comes to Indian health, medical decisions are made appallingly often on the basis of financial considerations; the conscientious medical officer is put in the unacceptable position of compromising the needs of his patients because the supplies, the equipment, or people are unavailable, or because transfer to a more sophisticated unit is economically impossible," says University of New Mexico pediatrician Edward A. Mortimer, Jr.

In a just-completed study of Indian health, the American Medical Association's Council on Medical Service complains of the low government support, even though the IHS budget has gone from \$35-million in 1956 to \$185-million this year.

"Per capita expenditures for Indian health care are 30% to 40% less than those in an average U.S. community," the report says. The report also points out that more than half of the 51 IHS hospitals are unaccredited and declared that "two-thirds of them are obsolete and at least 22 need replacing. Many are frame buildings, built on the old Army one-story and one-room-wide model, without airconditioning in some of the hottest parts of the nation."



According to Dr. Kurt Deuschle, vice-chairman of the national committee on Indian health of the Association on American Indian Affairs, additional funds should be granted to establish Indian health boards so that native communities could gain control over their own health programs, and to handle sensory disabilities such as deafness and blindness. Deuschle says that trachoma is 1,519 per 100,000 among Navajo, as one example, and that one-third of the school-age native children require glasses. If all native people received needed glasses, 76,200 pairs would be required, and \$1-million would have to be spent. Also, almost 60% of the children in Alaska below the age of three years have chronic otitis media, an ear infection leading to hearing loss. During 1971 and 1972, some four thousand native people received surgical treatment to help correct the ravages of middle-ear disease, and to continue the program, still another \$1-million is required.



Claremore: Rotating Risks for Life

In Claremore, Oklahoma, there is an Indian Health Service hospital. It has just 35 beds to serve some 33,000 northeastern Oklahoma native people. Thus the hospital must treat most patients on an out-patient basis only.

"Last year we saw 38,000 out-patients in this crummy facility," says Director Thomas Talamini. To supplement this, the hospital is allotted \$373,000 to contract health services in other hospitals. "Often our quarterly allocation is spent in six weeks, and in the remaining six weeks, all but dire emergency requests are denied."

Dr. Richard Memo, chief of staff at the hospital, told congressmen recently that lack of funds has placed the doctors in the position of "playing God" in determining who would have priority in receiving care.



Providing Ordinary Basic Rights

Most Indian communities do not have access to public health programs such as prenatal care or tuberculosis testing which are provided routinely in most communities. These have to be provided by the Indian Health Service.

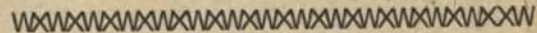
"We don't do anything really spectacular or medically unique," one overworked IHS doctor said in South Dakota. "What would be monumental is the mess if these services were cut."

Yet that is what is happening. Even as health statistics continue to point to more unnecessary Indian health tragedies, the shortage of personnel means there will be no care available. And the work of missionaries, military, educators, and government has eliminated much of the capability native communities had to care for their own health needs in the traditional ways. IHS is all that's left.

In 1973, the IHS had a staff of 523 doctors. But now it is down to 492, and the agency fears it can fill only half the 200 additional positions opening up this summer. The outlook for the summer of 1975 is even bleaker. Before the draft ended, IHS had about 7 applicants for every 2 jobs.

"We had people breaking down our doors," recalls Dr. Donald A. Swetter, head of the IHS medical services branch. By contrast, only 50 doctors have signed up for this summer's anticipated 200 open slots.

Poor pay and isolation, as well as bad facilities, means most doctors quit after their two year terms. On December 20, the U.S. Senate excluded PHS personnel when it passed and sent to the House a bill giving a bonus up to \$10,000 for every year a military doctor serves beyond minimum duty.



"How long are we going to sit waiting?"

Some native groups are attempting to recruit more people into health services to supply personnel needs. The Navajo Health Authority, for instance, has been established to create a medical school on the reservation.

"How long are we going to sit in the waiting rooms, watching white doctors and waiting for services?" asks Annie Wauneka, Navajo tribal council member. "I think we need to train ourselves now. We are a long time overdue."

Other recruitment programs are being handled by the Association of American Indian Physicians (721 NE 14th St., POBox 26901, Oklahoma City, Oklahoma 73105) and the American Indian Mental Health New Careers Project, 1800 Chicago, Minneapolis, Minnesota. Both programs have literature describing their programs for counselors of Indian students, and interested students themselves.

(Thanks to Medical World News, the Associated Press, Lyn Gladstone of the Rapid City, South Dakota, Journal; Jack Anderson, and Dennis D'Antonio of the National Enquirer for information used here.)

MALNUTRITION AND DISEASE A DAILY REALITY AMONG NATIVE B.C. PEOPLE

Victoria, British Columbia — Problems of malnutrition, infectious disease, and sparse medical facilities were beaten years ago among the white population of British Columbia, but they are a daily reality among the province's native people, according to a report on health care released in January by Dr. Richard Foulkes asking for a renewed attack on bad sanitation, poor housing, lack of food, unemployment and lack of education.

Statistics in his report showed Indians are three times as likely to die from accidents as are whites, twice as likely to die from pneumonia, and per capita, use hospitals three times more often. The tuberculosis rate among Indians in the province was 121 per 100,000 according to 1972 figures, while among Canadian-born B.C. residents the rate was 19 cases per 100,000.

Foulkes calculates that excessive use of hospital facilities is costing \$1.8-million a year, much more than a preventative program would cost. (Canadian Press)

4 Acquitted In B.I.A Papers Case

Wilmington, North Carolina — It took a jury less than an hour to acquit four native men from Robeson County, North Carolina, who had been charged in connection with the theft of documents taken from the Bureau of Indian Affairs headquarters during the occupation of November, 1972.

The acquittal came in late December after eight days of testimony. Defense attorneys Phillip Diehl of Raeford and James L. Rowan of Durham told the jury of ten whites and two blacks that because their clients could not read or write, they had little reason to "receive, conceal, or retain property of the Department of Interior" as the indictment had charged.

During a raid on Dock Locklear's house on April 9, FBI agents and Robeson County sheriff's deputies recovered 7,200 pounds of files. They had been taken from the BIA during the occupation, in which native people from all over the United States and Canada were joined by about 400 Robeson County natives, sometimes known as Tuscaroras, sometimes as Lumbees.

Keever Locklear said he went along on the caravan to "look after our people", and Dock Locklear, Jr., 28, a cousin, said he had become a security guard inside the besieged building. Dock's mother, Miss Mattie Bell, testified that she went along only because "I wanted to see something I never seen before." She told jurors it was her "first trip outside Robeson County."

Also charged were Elias Rogers and William F. Sargent. Sargent, 44, operated the California field office of the American Indian Movement, and came to North Carolina after the BIA takeover. He is an Anishnawbeg from White Earth reservation in Minnesota.

Sargent had used a 2½-ton truck that he had borrowed from the Union Gospel Mission in St. Paul to transport the documents — or "junk" as Sargent's attorney John Campbell classified it — to Robeson County.

The purple van was driven to North Carolina by Larry Blacksmith, a Lakota who became the chief prosecution witness. The documents had been stored for two weeks in Miss Mattie Bell's barn, and later moved to Dock's house, where they occupied so much space in a bedroom that Dock had to climb out a window afterwards.

U.S. Attorney Thomas P. McNamara attempted to convince the jury that the Locklears had plans to "use" the documents. Blacksmith testified that AIM leaders had said newspaper reporters were willing to pay up to \$20,000 for the papers.

The documents that were recovered by federal agents have been stored since April in two cells in the Federal Building in Raleigh, leaving some question of how the BIA has managed to function for a year without them.

Harrison Loesch, former assistant secretary of Interior until he was canned following the Trail of Broken Treaties caravan's occupation of the BIA, testified for the prosecution. Loesch said the Indians "were in costume and wore war paint." He admitted he was unable to identify the four defendants as among those taking papers from the building.

Judge Stanley ordered Rogers acquitted in a directed verdict.



During the trial, Vernon Bellecourt, Herb Powless, Doug Durham, and Philip Deer, representing the American Indian Movement, arrived. The dress of the AIM people contrasted sharply with the bib overalls and work clothes worn by the 50 to 100 Lumbees who attended the trial.

Bellecourt was interviewed outside the courtroom after his arrival, and condemned the failure of the judge to permit testimony about an amnesty agreement which had been signed by White House officials before the occupation ended. Two principals to the agreement, Frank Carlucci (now undersecretary of U.S. Health, Education, and Welfare) and Hank Adams, principal negotiator for the Trail of Broken Treaties caravan, were subpoenaed by the defense, but were not allowed to discuss the agreement.

There had been rumors that Judge Arthur J. Stanley of Leavenworth, Kansas, "had some association with the Seventh Cavalry which had massacred Indians at Wounded Knee in 1890.

Judge Stanley, who had been sent in to preside at the trial, said he hadn't been at Wounded Knee, but that he became a trooper "in the Seventh Cav at age 16. And at age 17, I made sergeant." But Stanley said that was balanced off since he had a Rosebud Sioux as his closest friend when he served on a gunboat in China after World War I.

Before the verdict was returned, Dock, Keever, and Rogers talked about discrimination against their people.

Rogers, 45, a paint contractor and minister of the Holiness Church, said that there is more discrimination against Indians in Robeson County than most places.

"If you fall humble to the white man, he takes advantage of you," Keever said. "If you don't want to take that, they try to kill you."

The Locklears added that while it was true they couldn't read, they did have a reason for wanting to know what was contained in the files.

"We was hoping to find our heritage," Keever said. He said he hadn't taken the papers from the BIA, but "if I had, I would say, I felt like we had a legal right to them. I'd have given them back to the government though." He said the Lumbees have had their history hidden from them.

Ironically, the Indians of Robeson County are recognized as Indians by the BIA, but they do not have reservation lands, and thus do not receive benefits from the BIA, the agency whose records they were charged with stealing.

The Lumbees were first called Croatan, and were treated as whites. Then, in 1834, they, the Cherokees, and some blacks were designated "free persons of color" and were thereafter denied the right to vote, build churches, or send their children to white schools.



For fifty years, the Robeson County Indians did not go to schools at all rather than to attend the inferior schools operated for blacks. In 1885, they were granted the right to operate their own schools. In many ways, the Lumbees began to prosper, although there is still extreme poverty among them.

B.I.A. — ONE YEAR LATER

(In November, 1972, the Trail of Broken Treaties went to Washington, D.C., with a Twenty Point Position Paper which would alter U.S. native relationships. But the Twenty Points were lost in the confrontation which ensued between inhospitable officials and frustrated native people. Eventually, the BIA headquarters was left in ruin. A year later, Donald P. Baker wrote this analysis for The Washington Post and we are grateful to him and his paper for this article reprinted here.)

One year after 500 American Indians ended a week-long siege of the Bureau of Indian Affairs building in Washington, D.C., the charges and countercharges, promises and threats that accompanied the evacuation still are largely unresolved.

Faced with forcible eviction by riot police, acting under a court order, participants in the Trail of Broken Treaties caravan ended the occupation peacefully November 8, 1972. They took with them thousands of documents that Dennis Banks, a leader of the militant American Indian Movement, said contained "incriminating evidence that congressmen and other public officials have engaged in scandalous, if not criminal, deals that deprived Indians of mineral, land, and water rights."

Banks claimed the protestors had "changed the course of history. For all practical purposes, we have destroyed the BIA."

The BIA is alive today, but hardly well. It [was] without top leadership for nearly a year. The building itself, which was heavily damaged during the occupation, has been repaired and renamed.

The sign outside the embattled structure at 19th Street and Constitution Avenue now identifies it as the "Department of the Interior South." The BIA staff has scattered, with the result observed by one Indian, that "there is no place to attack."

In return for the peaceful evacuation (the protestors had threatened to burn the building), White House representatives signed an agreement that recommended that no one be prosecuted for the seizure and occupation. Although a spokesman later said the amnesty did not extend to the extraordinary damage to the building, no one has been prosecuted for the takeover.



The United States also agreed to name an interagency task force to study the Twenty Points that members of the caravan had brought with them to Washington. . . . The task force was set up, and Indian Affairs subcommittees of the Senate and the House conducted hearings on the grievances, but neither Indians nor officials are claiming any success stemming from them.

The General Services Administration said damage resulting from the occupation from November 2 through Nov. 8 totalled \$2.28 million. The GSA called it the most destructive attack by citizens on federal property in the nation's history.

With the voluntary return of some artifacts and the recovery of nearly all of the stolen documents, the damage estimate has been downgraded since. Structural damage to the building was set at \$250,000.

Eight persons have been convicted of possession of some of the stolen papers, [and others were found innocent.] If the papers contained evidence of official wrongdoings, the Indians have been unable to make their case with the public.

"In the context of attitudes," said Indian activist Hank Adams, "Indian people are better off. But in actually securing objectives, little has happened, although there is a stronger potential than before."

Harrison Loesch, who was one of the three top officials who were fired for mishandling the demonstration, said he feels "awfully sad about the whole thing. The bureau is in one helluva shape. Nobody cares."

Former BIA commissioner Louis R. Bruce Jr., who also lost his job, said he has been "haunted by nightmares of Indian programs that never will be fulfilled."

Most of the documents that were taken at the height of the destruction have been recovered or replaced, with little loss of vital information. Few of the original paintings and artifacts that made up the world's largest collection of American Indian art have been recovered. So the once brightly-filled hallways of the BIA now resemble a more conventional government building.

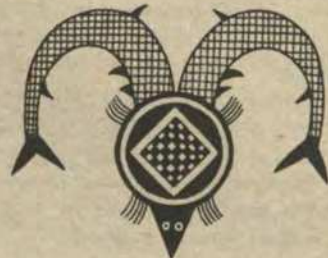
In November, recorded music was piped into the building. After the Indians vacated the building, the Department of Interior, which oversees the BIA, announced that it would reduce its Washington staff from 426 to about 100. As of a year later, there were still 361 persons on the central office payroll, although many of them have been moved across the street into the main Interior building.

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The principals in the confrontation have scattered. Former Commissioner Bruce now divides his time between two foundation-financed jobs here. He is codirector of the new Coalition of Eastern Native Americans, and an instructor at the avant-garde Antioch School of Law.

Bruce's former deputy, long-time BIA employee John O. Crow, lives in retirement in suburban Arlington, Virginia. Their boss, Loesch, bounced from the executive to legislative branch, moving from assistant secretary of the interior to minority counsel for the Senate Interior and Insular Affairs Committee.

Leaders of the uprising have, in many instances, gone on to new confrontations. Many of them were arrested at



The separate school system stopped in 1970, when the United States said that schools must be integrated, which meant Lumbees lost control of the only real institutions they had, since all traces of traditionalism had long since vanished.

In the last year or so, there have been a series of protests, including an occupation of the county superintendent of schools office. There were many arrests, usually resulting in jail sentences even for elderly women.

The occupation of the office of Young Allen, county superintendent of schools, involved 27 adults and children who had tried every other possible effort to win attention to their struggle to get information on what was happening to Indian Education Act Title IV funds designated for the education of their children. A sum of \$485,000 was spent. A series of meetings with Allen won the promise that answers would be provided within a week of mid-August, the date of the last meeting. By September 17, school was underway and no answers had been given.

As a result, on that day, at 10 a.m., a group of 42 people arrived at Allen's office. They were told Allen was out visiting a school and would return shortly. The morning passed, and then the afternoon. The parents and their children sat in the auditorium and waited quietly. At 1 p.m., a group of sheriff's officers and highway patrolmen came on the scene, but did nothing but keep watch on the group.

At one point, Allen sent word by a secretary that he would meet with three representatives of the group. That was countered by an offer of a delegation of nine. Allen agreed, but shortly after changed his mind and said the meeting would be delayed 48 hours. The group was then advised to leave the building by a school official, citing authority of the riot control act of North Carolina.

The federal monies had been applied for by the Robeson County School Board under the guise that they would be used for teaching of Indian Art, Language, History, Culture — all things almost completely absent from the Lumbee scene now. But no classes have been available, although the funds have been received. There are 7,547 Indian students in 25 separate schools entitled to the benefits.

Funds are needed to finance appeals and to help Robeson County peoples pursue better education for their children. Lawyers are donating their services. Contributions and requests for more information can be sent to:

Carolyn Epp, Secretary
Eastern Carolina Indian Defense
POBox 688
Raeford, North Carolina 28376

POTTAWATOMI HOUSEWIFE GETS PRISON SENTENCE FROM FRIGHTENED JUDGE

Kansas City, Kansas — Joyce Guerrero, a Pottawatomí housewife and mother of two small children, has been sentenced to prison for possession of property taken from the Bureau of Indian Affairs during the occupation by the Trail of Broken Treaties. Included in the property were two calculators, a slide projector, and a dictating machine.

Defense attorney Scott Jarvis objected to prosecution evidence detailing the damage done to the BIA office. Although Guerrero was in Washington at the time, she was living at the YWCA and involved in a nursery for Indian children there. There was no evidence linking her with the occupation itself. Evidence also alluded to the occupation and siege of Wounded Knee even though she did not go there.

"You can't have people running around destroying government property and process," she was told by Judge George Templar of the U.S. District Court. "You can't have them running off to Wounded Knee at the sound of a gun. The next thing you know they will be burning down my house and that of other public officials." He said hers was not the proper case for leniency.

Guerrero's friends said she had been a firm advocate of civil rights for native people, but that her advocacy had always been legal and non-violent.

Kenneth Cadue, communications specialist at the Topeka Indian Center, said that persons active in Pottawatomí affairs in the last year have been harassed by federal officials, including the Federal Bureau of Investigation agents.

The prosecution relied on the evidence of David Alejos, who said Guerrero had helped him move the equipment from Angela Miranda's basement to another location. When the stolen goods were recovered, they were in Alejos' possession — yet he was not charged.

She received a 2½-year sentence, with the first six months to be served in prison.

Guerrero, a divorced mother of a 2-year-old daughter and a 9-year-old son, was also dealt with harshly by another court in a related charge. When her first trial was getting underway, an initial hearing was held to determine how much time the court should set aside for the trial and similar administrative matters. Because of a heavy snowstorm in South Dakota, she was unable to get to the hearing in time, although she made repeated phone calls to her attorney to advise him of the delay. She finally arrived 24 hours late.

However, the jury in Kansas City was not impressed, and found her guilty of wilfully missing the hearing.

At a sentencing April 12, she received 3 months in prison and 21 months probation from Judge Earl O'Connor.

Michael Ball, 19, who was arrested on similar charges with Guerrero, was placed on three-years probation June 27 in Portland, Oregon, where he had been apprehended after the indictment against them was returned.

Financial assistance and requests for further information can be sent to:
Calvin Masqua
Topeka Indian Center Legal Defense
407 West Lyman
Topeka, Kansas 66608

THE BEAT GOES ON . . . A CALENDAR OF POWWOWS, CONVENTIONS, SPIRITUAL GATHERINGS

JUNE

- 15-21 Snoqualmie Falls near North Bend, Washington: North West Indian Spiritual Unity Conference, sponsored by the Brotherhood of American Indians at McNeil Island Federal Prison. Contact: Janet McCloud, Box H, Yelm, Washington 98597 or call 458-7610.
- 15-22 Yosemite Creek Camp Ground, Yosemite Park: first great political convention to establish the American Indian Party to elect an Indian President. Contact: Harold Govett, Secretary, 860 North Point, San Francisco, California 94109.
- 18 Sandstone, Minnesota: Sixth Annual Banquet /Pow-Wow at Federal Correctional Institution. Closed except for official invitations.
- 21-23 Sisseton, South Dakota: North American Indian Women's Fourth Annual National Conference. Information from Mrs. Naomi Renville, Box 251, Sisseton, South Dakota.
- 21-22 LaGrande, Oregon: Intertribal Indian Festival of Arts, both traditional and modern. Native American Theater Ensemble will perform.
- 25 Washington, D.C.: NCAI Second Annual Benefit Awards Dinner at Sheraton Park Hotel.
- 27-30 Eagle Butte, South Dakota — Sacred Calf Pipe Ceremony and Sun Dance at Green Grass Community. Prayers for peace and unity, and for fulfillment of visions received there. Participants are invited to bring a gift to the pipe. Traditional medicine people are invited. Soup and buffalo meat provided. Absolutely no alcohol. Sweat lodges available for purification.

JULY

- 1-4 Tulsa, Oklahoma: Tulsa Powwow
- 2-4 Carnegie, Oklahoma: Kiowa Gourd Clan
- 2-4 Quapaw, Oklahoma: Quapaw Powwow
- 3-14 Washington, D.C.: Eighth annual Festival of American Folklore, including Basin/Plateau/Californian tribes.
- 4-7 Lawton, Oklahoma: Kiowa Tia Piah Society
- 4-7 Pawnee, Oklahoma: Pawnee Indian Homecoming
- 6 Tishomingo, Oklahoma: Chickasaw Festival

Wounded Knee, and face criminal charges . . . The Trail of Broken Treaties Caravan, which was the formal name of the delegation of 1,000 Indians who descended on Washington, was made up of a coalition of organizations, but the primary leaders of the takeover were members of the American Indian Movement.

Adams, who is not a member of AIM, says he has become disenchanted with efforts of both federal officials and national Indian organizations to solve Indian problems. He has relaxed his criticism of many reservation-based leaders, however, believing they are beginning to respond to widespread restlessness.

"The betrayal of Indian people continues," he said in an interview, "but it now comes less from the tribal governments at the community level."

Adams criticized AIM for "continuing to open up opportunities" by its violent actions. He suggested that AIM's efforts are thwarted "primarily because of misplaced loyalties to personalities, and to allegiance to a simple set of tactics" beyond which "they are not equipped to proceed to assure major gains."

AIM's major contributions, as Adams sees it, has been in "giving hope to a lot of Indian people. It's been good for the spirit, and has improved attitudes."

Interior has stepped up its direct interest in Indian affairs, often bypassing the BIA. John M. Seidl, deputy assistant secretary for program and development, has been openly critical of the "16,000-man bureaucracy known as the BIA" which "continues to sustain itself through its half-a-billion-dollar budget.

We must find ways to change the bureaucracy so that these resources can truly be used by Indian people," he wrote in a confidential memo last July 2 to Interior Under Secretary John Whittaker.

Additional emphasis on Indian problems is also occurring outside the BIA and Interior. Interior still has primary responsibility for the 400,000 native Americans who still live on federally-protected reservations. HEW has taken over many Indian projects formerly financed through the Office of Economic Opportunity, and in August, a new Office of Indian Rights was created within the Civil Rights Division of the Justice Department. . .

Back at the BIA, according to one former department head, "There's not one permanent executive in the Bureau. The BIA has gone limp."

"In the old bureau," he continued, "the department heads either wore black hats or white hats, depending on your point of view. It's a situation of inaction now, with all the leaders wearing grey hats."

Out of what some observers describe as the chaos at the BIA has come greater interest on Capitol Hill. The selection of Senator Abourezk to head the Senate's subcommittee on Indian affairs is widely praised. "He's an advocate," said one Indian, who noted that although Abourezk is of Lebanese extraction, he was born and grew up on the Rosebud Reservation in Melette County, South Dakota.

In retrospect, Bruce thinks he should have exerted stronger leadership as BIA commissioner in handling the Caravan.

Bruce, who was held in high regard by many of the activists throughout the siege, doubts that "they really had in mind to go as far as they did."

His own attitude was diluted when Secretary Morton "asked me to stay out. He pulled the rug out from under my ability to negotiate." A year later, Bruce wonders, "maybe I couldn't have helped."



Bruce has decided to speak out after a long silence because "we can't sit back and smoke the peace pipe and talk Indian to ourselves." He said Indians "must learn how to deal with Congress. It's no longer enough to plead and get nothing."

Former Assistant Secretary Loesch, whose blunt pronouncements during and after the takeover marked him concurrently as the chief target of the protesters and one of the few "straight-talking white men" in the Administration, has not mellowed.

Recalling that he wanted to "go in there and bring 'em out" of the occupied building, Loesch now thinks that "the luckiest thing that ever happened to me was getting canned. With my attitude, I couldn't have gone through the Wounded Knee thing on their terms." He said "a whole new team at Justice let it happen." Loesch believes that the BIA commissioner's post "is the worst job to fill in Interior, if not in the whole government."

Loesch compared the BIA takeover and the Wounded Knee occupation to rioting in the black communities in the late 1960s. "Those riots hurt blacks," Loesch said, "but they also served to awaken the nation to the problems. These incidents have served the same purpose in attracting attention to Indian problems, and therefore may not have been all bad."

(A book documenting the BIA takeover and the Twenty Points of the Trail of Broken Treaties is available from AKWESASNE NOTES, Mohawk Nation, via Roosevelttown, N.Y. 13683. Entitled "BIA: I'm Not Your Indian Anymore", it costs \$1.95 postpaid. As time goes by and action on the Twenty Points dwindles, it is more important than ever to keep the Twenty Points in the forefront of the dialogue of this decade if there is to be a change in native/U.S. relationships.)



Printing no. 6/7

Roland Winkler, winter 1973/74

We are grateful to Roland Winkler of Germany for this composite poster design. This is one of a series of posters available from us, reprinted on heavy poster paper in color. They are available for 50 cents each, or 3 for \$1, all of one kind or mixed. Send 25 cents extra for mailing tube if you wish one. Write: AKWESASNE NOTES, Mohawk Nation, via Roosevelttown, N.Y. 13683.

WHY INDIANS STAY POOR

In 1971, Navajo Tribal Chairman Peter MacDonald flamboyantly declared that President Nixon could become the emancipator. Although Nixon promised in 1970 to give Indians self-determination, as long as government officials still control the purse strings and must approve every tribal council decision, tribes will have no real control over their destiny.

The Government has, in fact, suppressed Indian tribal initiative so much that there has been little if any Indian economic development. Most Indian people are like those in the colonies who have been denied the opportunity to obtain educational training and technical skills, and consequently have participated only minimally in the U.S. money economy — the nearly one million Indians in this country have an individual income of only \$1573 per year, according to the latest U.S. Census figures.

In contrast, there are Indians who have been more fortunate. For instance, William Keeler, the Cherokee Principal Chief, until recently earned over \$280,000 a year as chairman of Phillips Petroleum; he is now Chairman of the Board of the new American Indian National Bank recently established in Washington. Of Keeler's 16 great-great grandparents, one was a Cherokee and 15 were not. He first became chief as an appointment of the President of the United States, not selected according to Cherokee custom or by election of Cherokee people. To most people, however, he symbolizes the Indian who has made good.

Another Indian entrepreneur, Fleming D. Begay, a Navajo millionaire, has an enormous business domain which includes a general merchandise store, a service station, a supermarket, an auto parts store, and a ranch, farm, and orchard.

If tribes had ever had the power to act for themselves, Indian people would not today be the nation's poorest group. Government officials, however, have taken the attitude that Indians are incapable of managing their own affairs, and have chosen to provide only token resources for economic development. School programs controlled by non-Indians have been irrelevant to Indian needs and have provided little vocational training. Little has been done to provide for Indian ownership and management of enterprises, and basic prerequisites to economic development such as good roads have been neglected so much that today there is a billion-dollar backlog in road construction. The current total government budget for road building and improvement on reservations is \$75-million a year for the next three years.



Rather than provide tribes with resources for reservation economic development, since 1952 the Government has given Indians one-way tickets to cities for vocational training and jobs. But as it turns out, more than half of the 150,000 or more Indians relocated in recent years were unable to use their skills, could not get jobs, or simply disliked urban life and returned to their reservation homes. There, they found few jobs because nothing had been done to generate them. The relocation program has been a failure because many Indians who did remain in cities often found themselves living in conditions far worse than the rural areas from which they came. However, due to government unresponsiveness to Indian needs, the program still continues with the new name of *employment assistance*.

On the reservations, government officials have long closed their eyes while non-Indians exploit Indians. In 1972, a long-overdue Federal Trade Commission investigation revealed that traders on the Navajo Reservation continue, as they have for a century, to envelop the Navajos in a system of peonage by over-extending credit, over-charging on merchandise, and then for payment seizing checks in the mail and buying Navajo jewelry at low prices. In 1971, total Navajo tribal income had reached \$14.8-million but trading post receipts were \$28-million or \$244,000 per store.

Relatively few companies have located on reservations in spite of additional incentives such as freedom from state zoning laws, state and county real estate taxes, and certain pollution regulations. Only half of the OJT funds Congress allotted to reservations was spent in recent years because of lack of business interest.

Certainly there are disadvantages to locating in remote areas, such as higher transportation and communication costs but some government officials believe that many companies do not locate on reservations because they are so greedy

attempted to escape environmental laws by claiming that they do not apply on reservation land which has special federal trust status. But last year, a federal appeals court ruled that all building must stop at the Sangre de Cristo site at Tesuque Pueblo until an environmental impact statement was filed with the Government. The court stated that the BIA acted illegally when it approved the lease for Tesuque land although the company had not filed the statement. Some tribes are presently formulating their own environment laws in order to protect their land.

In another lawsuit filed in a U.S. District Court, 50 members of Tesuque Pueblo are objecting to being "an amusement attraction for the residents of the subdivision-community/trailer park" of 17,000 residents being planned and want to cancel the 99-year lease to the company which was approved by the tribal council and the BIA. The Tesuques also claim that there is not enough water for the development.

Non-Indian companies locating on Indian land may have promised jobs for Indian people, but as of January, 1972, the 220 enterprises on or near reservations employed only 4% of the total Indian work force. A full half of their employees were non-Indian. In contrast before 1962, the majority of employees in non-Indian reservation enterprises were Indian, showing that government efforts during a 10-year-period to generate Indian employment have failed miserably.

[At Pine Ridge, a moccasin manufacturing plant cut back its percentage of Indian employees from 95% to 65% because of a 200 percent turnover in personnel during 1967-68. A garment factory on the Yakima Reservation, 95% of whose employees were Indians, closed in December, 1967, because of "absenteeism." In April, 1968, a new garment factory opened in the same quarters, but only 50% of its employees were Indians.

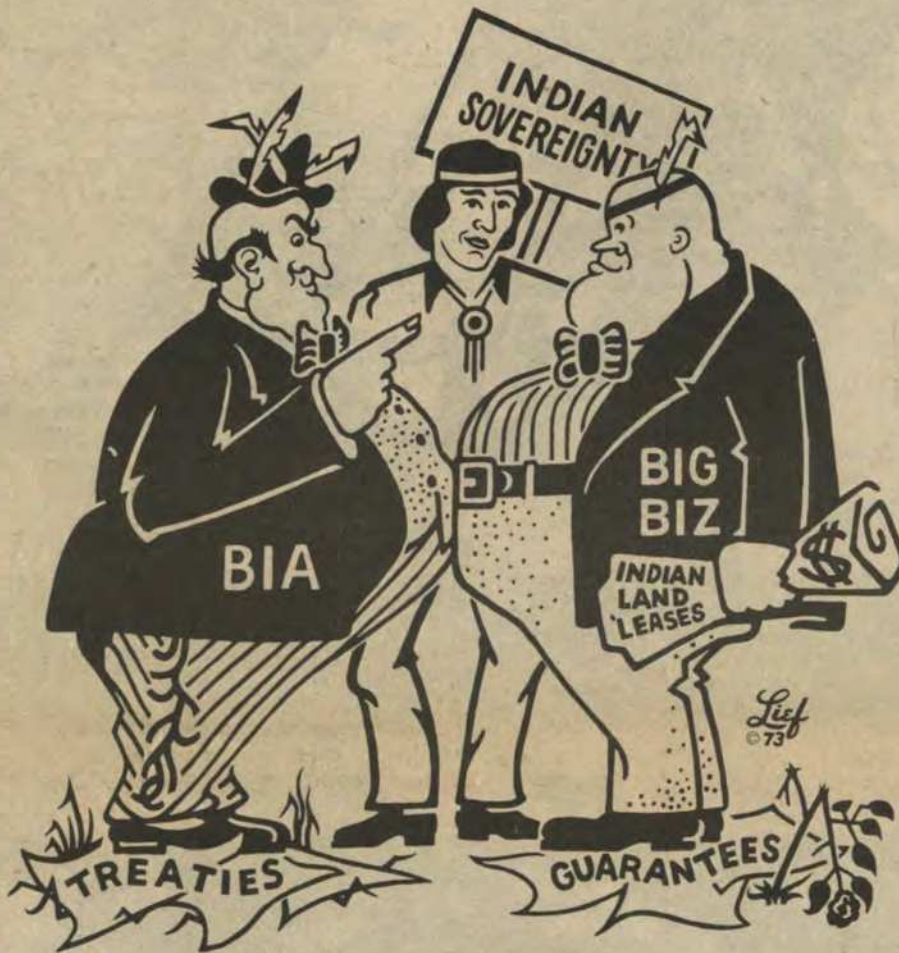
[In 1969, industrial and commercial enterprises located on or near reservations provided only 6,000-man-years of employment — compared with the 11,500 in the BIA alone.]

Indian people have become increasingly dependent on wage income which is difficult to obtain unless a government job is available — half of those Indians who are employed are working for the Government. Very few Indians can support families by farming and ranching because they have not been provided with the necessary resources. The BIA will not allow Indians federal farm subsidies or benefits from soil banks and other federal programs. Instead of developing irrigation and other projects for Indian water usage, the BIA concentrates on projects assuring water for non-Indians. And on some reservations, as much as 90% of the land is leased by the BIA to non-Indian ranchers and farmers.

Because the General Allotment Act of 1887 (ended in 1934) attempted to lead Indians to "civilization" through private rather than tribal ownership of land,



today approximately one-quarter (12-million acres) of the 56-million acres of the Indian land base, is owned by individual Indians. Of this individually owned land, 6-million acres are fragmented by heirship status through which as many as 100 heirs own one parcel of land. Much income is lost to Indians also because over half of this land is leased to non-Indians — sometimes without the signatures of all the



[On February 20, the U.S. FTC announced it would take action against 19 government-licensed trading posts unless the posts agreed within 30 days to end alleged unfair consumer practices. The posts are:

Inscription House Trading Post, Tonolea, Ariz.
White Horse Trading Post, Cuba, N.M.
Lybrook Trading Post
Bruce M. Barnard Trading Post, Shiprock, NM
McGee Traders, Inc., including Pinon Mercantile Trading, Keams Canyon Trading, Polacca Trading Post.
Babbitt Brothers Trading of Flagstaff, including Cedar Ridge Trading, Tuba City Trading, Oraibi Trading, Indian Wells Trading, Red Lake Trading, Cow Springs Trading Post.

A conglomerate of partnerships owning:
Lower Sunrise Trading Post of Leupp,
Sunrise Ganado Trading Post, Dilkon Trading Post, White Cone Trading Post, Lower Greasewood Trading Post.]

Rather than allow the tribes to develop their own enterprises, the Government encourages outside companies to locate on reservations in order to employ Indians. In order to attract entrepreneurs to Reservations, Bureau of Indian Affairs brochures actually stress incentives such as the cheap non-union labor supply available there. By providing funds for the on-the-job (OJT) training programs, the Government has encouraged the growth of non-unionized plants. Unions have even been declared illegal on some reservations such as the Navajo;



elsewhere, industries threaten to close down if the possibility of a union is mentioned. The Government is also underwriting the profits of private industry at the expense of the Indian people because Indian employees who have received OJT are notoriously underpaid.

that all their demands cannot be met. Many prefer to locate in Asia or South America, where labor is cheaper; they are also encouraged to build abroad by special tax benefits which the U.S. Government provides.

Ledru Savage, BIA officer of the Southern Pueblos Agency in New Mexico, remarked that "the majority of corporations want the Indians or the Government to furnish everything." A few years ago, the Burnell Company, which makes electronic filters, was established at Laguna Pueblo. In order to get the company to locate there, the Lagunas provided a \$400,000 building for a 25-year lease and even loaned the company \$750,000 at 4% interest for training and miscellaneous costs.

Another BIA officer who screens enterprises interested in locating on reservations said, "95% of the people who come through this office are out-and-out promoters, marginal investors, or opportunists." Some companies with ulterior motives are willing to pay handsomely for location on Indian land. The Parsons and Whittemore timber company attempted to establish a multi-million dollar pulp mill on reservation land near Albuquerque a few years ago, but Santo Domingo, San Felipe, Cochiti, and Isleta Pueblos one by one turned down the offer. Tribal leaders decided against the plant after they were flown to Houston to view company operations — fortunately they had escaped the watchful eyes of company officials and talked to local residents who soon pointed out the pollution caused by the plant. In North Dakota, the Fort Berthold Reservation turned down a power plant which would have provided some tribal income but also would have caused grave ecological problems.

Certain companies such as the Sangre de Cristo Development Corporation have

owners — and over 500,000 acres cannot be used at all because they are unsuitable. Another six-million acres are in immediate danger of falling into heirship status unless the Government acts to limit heirship to the surviving mate and lineal descendants in joint tenancy, instead of to the collateral heirs as at present. Also, the Government should allow for tribal consolidation of presently scattered tracts.

So, on one hand, the Government allows Indian land and water resources to be undeveloped, or hands them over to non-Indians. But on the other hand, to stimulate reservation employment, official policy of the Nixon Administration is to provide vocational training and other resources for the growth of Indian owned and managed enterprises.

Former BIA Commissioner Louis Bruce spoke of the goals to which he was committed in 1971: "I want to see Indians buying food at an Indian food market where the food has been brought in Indian trucks from Indian food distributors. I want to see houses built by Indian construction companies on design of Indian architects."



At the present time, however, these functions are still performed almost entirely by non-Indians, and money is flowing off the reservations. OEO, now threatened by Nixon's budget cuts, has in the past given technical assistance in training Indians for management and has been the only Government agency which has given development funds directly to the tribes rather than administer the money itself. Yet tribes still have had to meet standards set up by Washington OEO officials for any proposed tribal development projects.

One hopeful sign is that the BIA has established Indian Action Teams on 20 reservations which provide training and financial resources for Indian enterprises. Another development is that tribes now have over 600 contracts with the BIA and HEW Indian Health Service to provide services and manage programs formerly administered by the Government. In addition, Senator Henry Jackson is currently sponsoring a bill (S1017) which is still in committee, which, if passed, will provide much-needed direct grants to tribes for management training and planning which is necessary before entering into contracts.

The Government still has not solved the problem of lack of funds for economic development. Even tribes which have sizable funds from mineral or land leases and claims payments cannot use much of their money for capital economic development. Most of it is distributed in per capita payments or deposited in trust funds in the U.S. Treasury, where it has earned only 4% interest since 1818. More recently, funds have been put in banks where they earn higher interest. The \$445-million belonging to individual Indians cannot be invested without BIA approval, a system which perpetuates indefinite dependence on that agency. Consequently, because most tribes leave it to the BIA to invest their money, funds usually end up in Treasury certificates or time deposits rather than being used for tribal enterprises which are considered risky investments.

When a tribe does present a development plan, it is often refused. For instance, the BIA turned down the Walker River Paiutes of Nevada who wanted to invest claims money in a tribal cattle ranch. Although they had much experience from working on non-Indian cattle ranches, the BIA rejected the idea under pressure from local non-Indians who would have lost their cheap labor supply.

Because over half of the tribes have less than \$100,000 in trust funds, they are dependent on loans or grants for economic

development but because the Government "does not want to compete with private business," as one BIA official put it, it is only after Indians have been turned down by private banks and loan companies that they can apply to the government for aid. However, it is extremely difficult for Indians to secure private loans because they lack the required equity. One great impetus to Indian business, the Indian Business Development Fund of \$3.4-million, started by the BIA in 1971, provided grants of equity to secure loans. This program folded after a year when Congress refused to approve its continuation. The BIA is urging passage of legislation at the present time to renew the fund.

Indians who have managed to borrow from the \$25-million BIA revolving loan fund, which charges an average interest rate of 4½% and requires less equity, has a very good record of repayment. After a five-year period, there was only 6.3% delinquent, according to BIA records. Unfortunately, little Revolving Loan Fund money has gone into industrial and commercial development, but tribes have often needed this money for educational expenses and for costs of preparing and trying claims pending before the Indian Claims Commission.

Some tribes, such as the Mescalero Apaches, do have successful tribal enterprises, probably because they had reservation assets to begin with. They are fortunate in owning a large 460,000-acre heavily timbered and scenic reservation in southern New Mexico. They derive much tribal income from timber sales managed by the U.S. Forest Service. In addition, they own the Sierra Blanca ski resort, a tribal cattle herd of 6,000 Herefords, and several new businesses in a new \$2-million-dollar industrial park. A new seven-million-dollar Cienegita resort area with a hotel, golf course, and a pool is to be constructed beside a 100-foot surface lake, and a dude ranch is on the drawing board.

However, not all tribal members are participating equally in this economic development. The June unemployment

Any profit received from tribal businesses seems to be used for new enterprises and for administrative costs of the tribal government; therefore those profiting from Mescalero development are non-Indian workers and managers brought in, outside construction companies, and others who obtain contracts for work on Mescalero land — and tribal executives. Contrary to common belief, Mescaleros do not receive dividends from the Sierra Blanca resort. The only tribal enterprise paying dividends is the cattle herd, in which 2/3 of the tribe own stock.



In addition to pushing for construction of tribal tourist facilities — \$14-million in new hotels, motels, and other resort facilities have been built in just the last two years under Economic Development Administration auspices alone — government officials have been concentrating on getting tribes to build industrial parks. However, after the parks are built, because tribes have not had any resources to develop many enterprises of their own, they are forced to be dependent on non-Indian businesses moving in — otherwise they can go into debt. At times, the BIA has advised construction of industrial parks in what turned out to be undesirable locations and so parks have remained empty. On the Papago Reservation in southern Arizona a park has remained idle for nine years. The same situation occurred at the Rosebud Sioux Reservation in South Dakota and at the San Carlos Apache Reservation in Arizona.

It is no wonder that some Indians are skeptical of these efforts to pave over the reservations. Gerald Wilkinson, ex-



and underemployment rate was 73% at Mescalero, and the average per capita income in 1971 was only \$1772, including general welfare assistance. How much employment will the Cienegita resort provide? A new \$2-million-dollar Ute resort in Utah employs only 12 Indian people. There are no enterprises on the Mescalero Reservation that are managed by tribal members, nor are there any plans to train people to do this. 90% of the Mescaleros who do have jobs work for the Government bureaucracy on the reservation.

Executive director of the National Indian Youth Council, commented in an interview, "Industrial parks are often created more for non-Indian businesses than for Indians. The tribes should own the businesses in industrial parks." At some parks, such as the Pueblo Park at the pueblo of Pojoaque, non-Indians own the mica processing factory, pumice plant, laundromat, metal casting plant, gift shop, bank, beauty shop, barber shop, auto store, and insurance company. The Northern Pueblo Enterprises is the only Indian corporation there.

[Some of the grants provided recently to reservations by the Economic Development Administration are:

Standing Rock Reservation, North Dakota — \$41,650 to continue a program of management and training assistance for the Grand Island Management Corporation, a tribal enterprise which operates the Grand Island Peninsula Recreational Complex, featuring the Chief Gall Inn. Commonwealth Management of St. Paul is the contractor.

Quinalt Reservation, Washington — \$14,700 to continue a program of planning for economic growth and new jobs.

Spokane Reservation, Washington — \$161,000 to create construction jobs developing range resources, such as fencing, hay-storage. 16 persons will be hired on the project.

Chehalis Reservation, Washington — \$116,000 to create construction jobs to renovate and enlarge the tribal center building. 19 men will be hired on the one-year job.

Rosebud Sioux Reservation, South Dakota — \$460,000 grant to stimulate economic and community growth by enlarging the water and sewage systems at Rosebud.

Southern Ute Tribe, Colorado — \$668,000 grant to construct a horse-training center on the Southern Ute Fairgrounds. Expected to increase patronage of the tribally-owned Pino-Nuche Motel.

Uintah and Ouray Reservation, Utah — \$895,000 to enlarge a tourist center and to create new jobs. Tribe will match the grant from its own funds.

Fort Bidwell Indian Community, California — \$131,000 to create construction jobs to build a community center. Seven jobs will be provided, for one year.

Burns Paiute Indian Colony, Oregon — \$30,000 for construction jobs to improve tribal range lands. 10 persons to be hired for one year.

Makah Reservation, Washington — \$315,000 to provide community facilities and stimulate economic growth by expanding sewer facilities serving the commercial section of Neah Bay.

It is vital that Indian people control their own enterprises because the demands of non-Indian controlled businesses now on the reservations sometimes conflict with Indian values, and create frictions working against a cohesive society. For instance, one difficulty arises when young Indians are put in supervisory positions in which they are expected to tell their elder relatives what to do, a thing unheard of in traditional Indian communities. And often young people have been provided with work through the Neighborhood Youth Corps or the Job Corps while their fathers, with the traditional responsibility of providing for the family, were without jobs or job training.

By preferring to hire women instead of men, electronics factories often disrupt the family ecology and cause jobless men to turn to alcohol and sometimes leave children unattended. On the Rosebud Sioux Reservation in South Dakota, where the unemployment and underemployment rate is 44%, an electronics firm employs only six men out of 50 employees because "women are more patient in doing such intricate work," according to the non-Indian manager of the plant. The Fairchild factory on the Navajo Reservation hires about 1200 women to make semi-conductors, but few men.

Indians are building their futures on values quite different from those of non-Indians, such as lack of competitiveness and group rather than individual orientation. But American capitalism requires competition among individual tribesmen and provides differences in salaries and standards of living which may cause class consciousness unknown in traditional societies. Many tribal members may not fully accept such a system being promoted by non-Indians and Indians under their tutelage, because after all, not everyone desires to be a William Keeler or Fleming D. Begay at the expense of others. Therefore, tribal development should be in the hands of the tribes, rather than non-Indian government officials. Tribes should define their problems and set goals themselves and only then should the Government offer help, as it does to any other community.

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THE JAMES BAY PROJECT.....

Fort George, James Bay, (Quebec), Cree Nation —
Just a few years ago, the Cree people here had little to do with the rest of the world. They remained on their lands in the north, hunting, fishing, living the good life.

But as the result of the decision of the Quebec Government to build the world's largest hydroelectric project on their lands without even bothering to ask them, their lives have changed considerably.

During the last six months, they had been in the highest courts of the land, doing battle with the Queen's attorneys, trying to get the project stopped. They failed at that, but then became involved in trying to explain why they were rejecting an offer of \$100-million from Quebec's Premier Robert Bourassa — he had thought he could buy their land from them.

Still, the huge project moved ahead until March, when a handful of construction workers accomplished — at least temporarily — what the Crees had been unable to do peacefully. They sabotaged the project, causing construction to halt until next winter.

A Certain Ironic Justice is Done

Just how the LG-2 destruction happened is still a matter of confusion. The corporation is so anxious to get back into construction that it hasn't spent much time on investigating the problems. But people who had been in and out of the site before the blowup reported that tensions had been running high for weeks. In the cold, isolated and confining camp, matters that would be reasons for mere quibbling at normal sites became the focal points for flare-ups and heated animosities.

James Bay Energy Corporation officials called in a detachment of their own police, as well as Quebec Provincial Police reinforcements just in case. But the police refused to leave the landing strip, located some 20 miles from the LG-2 camp, believing they were outnumbered. At that point, Dave Alexander, an American senior official, and other top brass decided to high-tail it out of the region. With the bosses fleeing in panic, the site was left in the hands of the workers. So, at noon of the same day, March 21, according to observers, Yvon Duhamel, business agent for local 791 of the International Union of Heavy Machinery Operators, delivered an impassioned speech from the cab of a bulldozer. When he finished, he edged the monstrous machine ahead until he reached the camp's three electrical generators. He ploughed into them. Within minutes, a Caterpillar 988 loader had ruptured the two huge fuel storage tanks. Fires were started in the camp and offices, barracks, and cafeteria went up in flames. The JBEC could only order the evacuation of the 900 men.

The material damage amounted to roughly \$2-million. But the major damage was the delay required to repair it. Work was almost completed on the tunneling necessary to divert the river and lay the dam foundations. This must be done under cold-weather conditions when the river flows at the rate of 15,000-cubic-feet/second. In the spring run-off, the flow will increase to 240,000-cf/s. Work must wait until next winter.

There is a certain amount of ironic justice in this.

When the leaders of two labor unions defied an injunction in 1972, they were sent to jail for a year.

But when the JBEC was ordered to stop work on the project by an injunction obtained by the native people of the area, it simply barred the territory to outsiders and continued its work in defiance of the law. The judicial system and the government did nothing.

And it was the arrogance of the Americans who looked down at the French-Canadians, who didn't care for the rights of the local communities, who added fuel to the fires of discontent.

But the whole James Bay project is one of arrogance of the Quebec Government and people, who didn't care for the rights of the native people and who look down on them.



Another factor that rankles both insiders and outsiders is the monarchy-like authority of the so-called Municipality of James Bay from which the James Bay Development Corporation administers an area twice the size of England. Excepting for the Hudson's Bay Company, no other establishment has ever held so much arbitrary power. The JBDC has its own police, controls all movements in and out of its "municipality" and runs all services in the manner of a feudal barony. Everything and every person operates at the sufferance of the corporation.

AKWESASNE NOTES



— Canadian Press photo

Wrecked generators at LG-2 . . . the destroyers destroyed

Earlier, the corporation had sent a letter to all contractors in the James Bay territory regarding the banning of all visitors, particularly newsmen. The letter says "to maintain the positive image of the project must be the result of co-ordination among all enterprises involved in the project and this is one of our major tasks."

There were three main reasons that led to the destruction at LG-2 (the largest dam to be built on LaGrande River which flows into James Bay.) First were the poor working conditions at the isolated frozen site. Second was inter-union conflict between the Quebec Federation of Labour (QFL) and the Confederation of National Trade Unions (CNTU). But third and most important was bad labour/management relations, rubbed raw by the presence and attitude of "bwana"-style American experts.

Many Quebec nationalists and even Hydro-Quebec technocrats were insulted and angry when the Liberal Party government of Premier Robert Bourassa awarded the huge contract to Bechtel, a U.S. firm ranking as the world's largest engineering outfit. Some of the top people, like Dave Alexander, appointed as chief of administrative services, were Americans. The technocrats felt they were competent to handle the job and didn't need the advice of foreigners.

Bechtel got the contract partly to facilitate financing of the \$10-billion project. Bechtel is used to getting big contracts in the Third World, like building B-52 bases in Thailand.

When local communities like Matagami, Val d'Or, complained that they weren't getting economic benefits they had been promised from the James Bay construction, Dave Alexander came back with obscenities about stupid backwoods Canadians. His quotes were on the lips of every northern Quebecer, and *l'Echo Abitibien* carried his cursing in banner headlines. There were the details about how Alexander, for reasons of efficiency, had decided to centralize purchases and fly everything in from the South.

Alexander's inability to speak French, his reference to the workers as "frogs", and similar Americanisms added to worker dissatisfaction.

Marcel Pepin, president of CNTU, charged that the problems weren't the result of inter-union rivalry, but that an American union's policy of terrorism against the CNTU was behind the destruction. Pepin said CNTU members have been constantly harassed by representatives of American unions and forced to join the QFL. With workers drawing up to \$650 a week in pay, their contributions to union funds are significant.

Only a handful of administrative and security personnel now man the sites. They have had some problems with native people removing full barrels of gasoline to propel snowmobiles and outboard motors.

It had been hoped that the first power would be available from James Bay by 1978, and the hydro power excess provided would make electricity exports to the U.S. possible. The entire James Bay project is largely U.S. financed.

An Offer They Can't Refuse . . . (but they did)

Robert Bourassa has a flair for the dramatic moment. He announced the James Bay Project in 1971 with a monstrous multi-media show in a Quebec ice arena. Now, in late January, 1974, he was again in the headlines, announcing to the world his magnificent offer of \$100-million and 2,000 square-miles of land to a few thousand Crees. John Ciaccia, his chief negotiator on the James Bay Project, termed the offer a "fantastic opportunity."

Coldly, the Cree people responded that their land was simply not for sale.

Bourassa had originally made the proposal quietly in November. The agreement, according to the native groups, was that it was to be kept secret until they had time to check with their people. But with his own popularity starting to drag and with mounting criticism of the project, he decided to go for the big splash.

The native groups charged that not only was Bourassa's statement premature, but that it was inaccurate.

Rather than a tidy sum of \$100-million, Bourassa actually proposed a cash payment of \$40-million to a Native Development Corporation which would be taxable under provincial law. Presently, money earned by native people on their own land is not taxable, and most Cree do not earn a major part of their livelihood in cash.

An additional amount would be payable as royalties, according to the written proposal, but the rate of royalty is not disclosed. No royalties would be paid over \$60-million. Thus, instead of the native people having control of their resources and income from them, the would be reduced to accepting a modest percentage and would have no say-so in the development.

Calculated on an acreage basis, the Quebec offer is worth about 31 cents an acre.

The proposal also made vague references to "a program for economic development of a trapping industry" and the creation of a tourist industry and encouragement of native businessmen.



— photo by John Flanders

Another neat hidden proposition is the fact that the proposal's benefits would accrue to the Indians and Inuit "living in the territory transferred to Quebec by the Government of Canada in 1898 and 1912. That means that many native people who are not even affected by the project would be beneficiaries — and potentially a lobby of support for the proposal. That also means that the payment to the people who are, in fact, done in by the flooding would be only half as much or less.

While Quebec patted itself on the back for "giving" the native people 2,000 square miles of land, it did not note that the native people now have rights to 135,000 square miles of territory, including the 2,000 which Quebec said it would give them. They would also be "granted" hunting and fishing rights and trapping rights on all the land not occupied by the project's installations.

Bourassa said in his statement that the "Indian people occupy either provincial reserves or Crown land over which they do not have clear title."

The Cree claim is based on historical documents, which show that the British Crown always recognized the right of their people to certain territories. They also point out that this right could only have been surrendered by a treaty between their Nation and the Crown (either Canada or Great Britain) and this agreement was never made.

The premature announcement by Bourassa seemed to kill any possibility of continuing discussions on the provincial offer. "The Indian land is not for sale — not even for millions and millions of dollars," Billy Diamond said at a news conference, quoting the words of a Cree hunter to describe reaction of his people to the provincial government's offer. "We Cree want to keep our land," he said.

Diamond said the offer was flatly rejected, and that the Cree people would continue to fight the project in the courts.

"The land is our life, our future as a people," Charles Watt, leader of the Northern Quebec Inuit Association told another group of journalists. "Money cannot replace land. We are continuing with our court action," he said.

Samson Lame Boy, an elder for the Cree settlement at Fort George, appeared to speak for many when he said, "This land is ours and we must hold on to it for our children for they are our priority."

Bourassa apparently expected a quick counter-proposal exchange. But he seemed unaware that a consensus develops slowly in the north. The chiefs it speaks to are not chiefs in the white meaning of the word. The chiefs are only spokesmen who express the consensus reached by the people.



As Charlie Watt of the Inuit Association put it, "The premier of Quebec can announce his proposal without consulting the people of Quebec, but we don't work that way."

While Bourassa may have been impatient for a reply, the native people of James Bay have waited much longer. Quebec acquired the territory in 1912 under the stipulation that it must settle aboriginal claims. It was more than 60 years before the government agreed even to consider any land claims.

Paternalism Has Many Faces (At Least Two)

But if the native people weren't enthusiastic about the offer, Indian Affairs Minister Jean Chretien was. In fact, he urged the Government of British Columbia to follow the Quebec lead and offer cash and land ownership rights to settle native land claims in that province.

He also warned the native groups that they must accept the Quebec offer as a basis for negotiation, or risk fighting their court case against the corporation without any further help with legal costs from Ottawa.

"It is the best offer ever made to Indians anywhere in Canada," Chretien claimed.

According to Chretien, the Quebec terms are comparable to those given Alaskan native peoples during development of the claims legislation. He estimated the cash settlement would work out to about \$1,000 a person for each Indian affected annually for the next ten years. But, like Alaska, the money would go to a development corporation, not to individual persons.

Also, Chretien said, the moneys and land would have to come under Ottawa jurisdiction. "The settlement has to satisfy the Indian Act," he said. "Under the law, I am the Great White Father to 300,000 people. The monies have to be administered under the Indian Act unless we can come to terms acceptable to all."

But at a press conference called especially for the purpose, Jean Chretien — who has repeatedly told the House of Commons it would be paternalistic of him to intervene in the negotiations between the native peoples and Quebec — said that the Indians should not reject the proposal out of hand, but should give it very serious consideration. Later, he said that if the Indian people were not willing to treat the offer seriously, he might be unwilling to continue supplying funds for their court case.

Chretien has much to win if he can get the James Bay native people to accept the offer. If the matter goes to the courts, that could mean a detailed review of the Federal Government's constitutional obligations to native peoples. That could mean a massive federal/provincial confrontation over aboriginal rights right across the land. Already there are settlements in British Columbia and Mackenzie River Valley waiting in the wings.

The Federal Government has engaged in doubletalk legalities to keep the Liberal Party from interfering with Bourassa's scheme. Although the act which transferred the James Bay lands from federal to provincial jurisdic-

tion specifically mandated Quebec to treaty with the native peoples, that has not been done. The transfer was from one colonial sovereign to another. But now, the Prime Minister is informing those who write him, "In the case of the James Bay development, there is no reserve land and there is no authority for the Minister or the federal government to deal with these lands."

"Not only are the lands in the James Bay area provincial and therefore, under Canada's Constitution, a provincial responsibility, but so are the resources. Generally speaking, the federal government cannot pass legislation which would interfere with the way in which a province chooses to develop its own resources. So Quebec can develop her resources as she chooses," the Prime Minister's office says.

The Crees had gone to court only after several unsuccessful attempts to get the federal government to intervene actively in their behalf. Secret documents leaked from the federal cabinet indicate that Canadian officials decided on October 21, 1971, to "adopt an attitude of low profile and of 'alert neutrality' to the project."

But a highly-confidential report to the Cabinet signed by Resources Minister MacDonald warned that "the means of ensuring an adequate settlement of the negotiations between the native peoples may not be consistent with the desired 'low-profile approach'." He recommended that the Federal Government should express its determination to participate fully and assist the Indians in their negotiations with the province of Quebec.

Rumor has it that if the Liberal Party wins the elections to be held in Canada this month, Chretien will give up his position as Minister of Indian Affairs to Warren Allmand. Allmand is presently Solicitor-General, good training for an Indian Affairs Minister. That is the office responsible for all federal penitentiaries and the RCMP.

Blockades and Detours on the Legal Route

Last fall, Judge Albert Malouf of the Quebec Superior Court had granted a temporary injunction to halt work on the project pending a decision on the native groups' request for a permanent injunction.

But the James Bay Development Corporation appealed Malouf's judgment did, however, deal with other things than the temporary injunction. He found that the Quebec Indian Association did not have a right of action in the suit since it was not an injured party. There had been signs of a rift between the more-assimilated IQA executive, such as Andrew Delisle of Caughnawaga and Max Gros Louis of Lorette, and the people of the north, perhaps as big a gap as the one between the government and native people in general.

The appeals court did not rule on the merits of Justice Malouf's judgment, but said that it would allow the work to continue "in the public interest."



The Rupert River . . . Dam It!

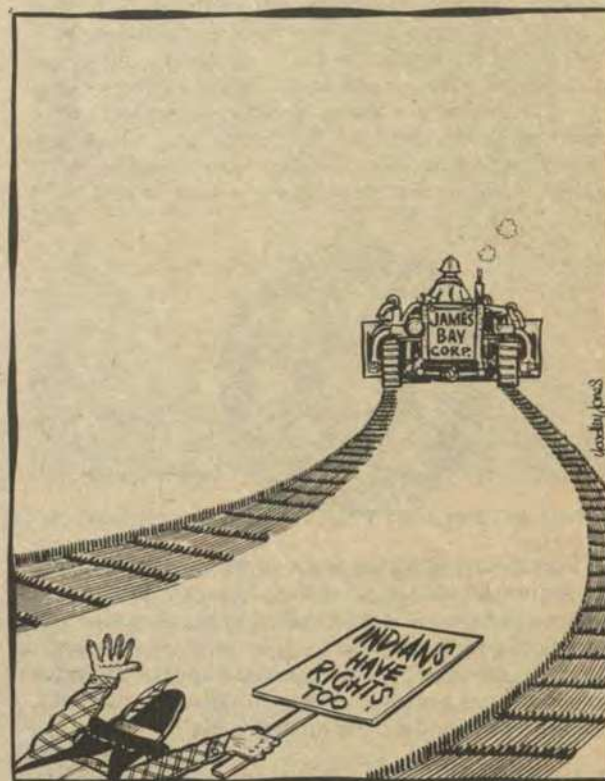
— Inuit Monthly photo

The basic argument used by Chief Justice Lucien Tremblay and two colleagues to reverse Malouf's decision was simply that "the rights of the majority of Quebecers come ahead of a few thousand Indians."

As Remi Savard pointed out in *Le Devoir*, the argument is both cynical and dangerous. It is cynical because the Quebec government has argued that the rights of the minorities — such as French-speaking Canadians — be respected in the language issue. It is dangerous, he says, "because it invites the majority of Canadians to force decisions on Quebec because of numbers." And the Quebec Government's plea that it is concerned with the James Bay workers goes against its basic anti-labor position.

So the native groups appealed to the Supreme Court, which decided, on a legal technicality and a 3-2 vote, not to consider hearing an appeal. That sent the case back to the Quebec Court of Appeals.

They were unsuccessful, but the contrast between the two litigants was becoming more and more clear. The Indian, working and flowing with nature for generations and enjoying what it offers, and the white man, a restless newcomer who hates the lonely icy moods, attempting to conquer for the benefit of the push-button culture to the south now in the midst of an energy crisis.



Cree Chief Robert Kanatewat said, "Our Indian people have patience and faith. They have waited 300 years for the white man to make Justice Malouf's judgment and recognize the rights of Indians."

Mr. Justice Marcel Gauthier of the Quebec Court of Appeal denied the native people permission to proceed on a request for a permanent injunction against the project until the question of a temporary injunction is settled.

That block was appealed to the Supreme Court of Canada, which on March 18 reserved judgment on whether to grant permission to the native people to appeal a decision.

Then came the sudden and violent destruction of the major LG-2 campsite by union leaders, accomplishing something which months upon months in courts by native organizations had failed to do — it halted the destruction of their land.

Any hearings on the merits of the case will not begin until this summer, and it could take several more months before a judgment is rendered. It is likely that whoever loses — the native people or the James

Bay Development Corporation — will take the ruling to the Supreme Court of Canada, a procedure that could take more than one year.

"The Time Has Come" — Bourassa

But day by day, the native people are being made more and more aware that Bourassa's statement in his book, *James Bay*, still stands: "Quebec must occupy its territory; it must conquer James Bay. We have decided the time has come."

(continued on next page)

Before "the time came," the inland Cree had only marginal contact with white culture, customs and ways. Fort George, in particular, was known as a model settlement. But the impact of construction trucks carrying supplies, workers, booze, planes and helicopters buzzing like angry blackflies overhead, the worry about the future — drinking and violence, almost unknown before, have grown to become a major problem.

Most damaging of all, the fragile northern environment is already registering the shock of its rape.

"There have been a lot of changes in the pattern of the game we depend on," says Robbie Matthews, a 37-year-old Cree trapper whose lines are on the Kanaapscow River, northeast of LG-2. "There used to be a lot of caribou there, but they've moved out because of all the activity. The geese, too, which are so important for us, are changing their flyways. All the planes and survey crews seem to have scared them."



The Fort George Cree are closer to the development than the rest of the Cree, for they live on a sandbar in the mouth of the LaGrande river, and are directly in the path of four dams which will be built. Kanatawat says that a construction camp located up-river from the community has already created a "major oil spill" into the LaGrande, and he fears further spills.

Job Bearskin, 61, explains through an interpreter that he promised his father that he'd spend his life hunting but the promise is getting harder to keep with each year that passes. "Ten years ago, there were many more animals to hunt," he says. And even the black bears taste awful." The reason, he explains, is that the bears have taken to eating garbage left about construction camps instead of forest herbs and berries.

For traditionally-minded Cree, the pattern of life established by their forefathers and the Creator is still the one they most enjoy. In the fall, they visit the trading post in the settlement to buy provisions such as flour, sugar, and tea. Then, travelling in families of two or three together, they set off by dog-team, skidoo, or sometimes a small chartered plane to a destination in the bush where they spend the winter trapping for fox, rabbits, and other fur-bearing animals. Spring is the time for hunting geese as they fly north, and the summer is spent travelling by canoe on fishing expeditions for salmon, trout, and whitefish. Late summer and fall provide a second opportunity to hunt geese as the birds return south and the cycle of the seasons begins over again.

Proponents of the hydro project say that hunting cannot support growing numbers of Cree, and that the project will supply 6,500 jobs while the project is being built. The Cree reply that these jobs will be filled by whites from the south, whose skills are adapted to industry.

"There are 1,100 Indians in my band, and only two of them were working on the project," asserts Billy Diamond, a young chief who lives at the Fort Rupert community. "Most of my people just want to be left alone."

Environmentalists claim that the demand for electricity has been exaggerated by the Quebec Government, and they say the province intends to sell power to the United States. In fact, an agreement has already been signed between Hydro-Quebec, a provincially-owned utility, and Consolidated Edison Company of New York to "exchange" 800,000 kilowatts of electricity annually from 1976 to 1985. An official of the James Bay Development Corporation concedes that when the second phase of the project is completed, "there could be a period when we have more electricity than we need in Quebec."



On the other hand, what the project will do is to bind the taxpayers of Quebec for the next 50 years to an enormous debt (\$10-billion for the initial investment, and double that with the interest), bind Quebec to the economic role of a resource hinterland, destroy the environment of the area in question, upset the ecology of the North, destroy the livelihood of thousands of native people, spend money that should be going to serve real public needs like unemployment, housing, poor health care, public transportation (to mention a few) and also give enormous profits to a handful of private corporations — mostly American.

A Gigantic Project: For Whose Benefit at What Price?

The dam and a system of dikes with a crest length totalling 16 miles will create the forebay for the power operation. The intake gates and underground powerhouse will be built four miles downstream from the dam. First electric power is expected to be produced in 1979. By 1975, there will be 4,000 men working at this one site alone, and a new town called Radisson with schools, hospital, recreation facilities, and family housing will be built. Apparently nothing is too good for the construction workers — although Fort George has been without all of these things throughout its relationship with the Canadian and Quebec Governments.

LG-2 is about 70 miles from the Cree settlement of Fort George at the mouth of the river on James Bay.

And that's not all. After the \$100-million offer was announced and denounced, Hydro-Quebec announced that the known plans for James Bay were just the beginning. In the next 25 years, the area will have transmission lines and dams as far north as Ungava Bay and as far east as Quebec's north shore, south of Labrador. Possible uranium intensification plants will be built.

One of the main enticements offered by Bourassa when he first proposed the project was that it would provide some 135,000 new jobs. However, during the period of peak construction, only about 20,000 people were employed. Few long term jobs will be created by the project. Then too, Bourassa has had to admit that faulty estimates and galloping inflation have caused the cost estimate to rise from the initial \$4-billion to more than \$10-billion. The project was politically oriented, designed to buoy up Bourassa's failing political fortunes after a poor first year in office.



— photo by George Legrady
A James Bay Cree Woman . . . what life for her kids?

Legislation creating the project also established the Municipality of James Bay, a 133,000 square-mile area. Its officials have powers to operate it like a fiefdom, with their own police force, but no locally-elected government. And they do not have to answer to the native people who live within its territory. Its main port of entry from the south is the mining town of Matagami, already linked to Montreal by road, rail and air services. From Matagami, a new road has been built north to LG-2 and west to Fort George. It is a heavily trafficked road — but James Bay police at the roadblock near Matagami make sure no one enters their "municipality" without official permission.

The land is an area of 100,000 lakes, thick coniferous forests in the southern part, and volcanic intrusions which may signify mineral wealth. Now it is also a land of roads, air services, microwave systems, television, towns, hotels, booze, salesmen, cars — and all the rest is either there or on the way.

Although native people have lived there in comparable comfort for many thousands of years, whites find it barely livable. By mid-November, there was two feet of snow, and on some winter days, the thermometer goes to 40 below with icy winds blowing.

Costs are certain to go well over the official estimates of \$5.8 billion. "You realize that when you see how many jobs have had to be done over again because they weren't done right the first time," one observer said. There is great waste and loss too because of frictions between the energy corporation, controlled by Hydro-Quebec, and Canadian Bechtel, which is part of the corporation and is managing the project.

"Bechtel and Hydro are at each other's throats all the time," the observer said. "Hydro is undercutting and second-guessing Bechtel and burying the project in paperwork and bureaucracy. The whole project is one big mess."

The people of Quebec may never know if that is true or not. The whole territory is sealed off, and rivers are being diverted and mountains moved in almost complete secrecy. The corporation reports to the government, and the government is supposed to report to the national assembly, but there has been very little of that kind of reporting.

The federal government seems to be part of this conspiracy of silence. It has confined itself publicly to financing the legal battle of the native peoples, but it has not taken the slightest step towards testing its responsibility for native people, for navigable waters, for coastal protection, for the environment, or even for the larger Canadian interests.

Meanwhile, the Quebec government and the James Bay Development Corporation burble about the project of the century, the daring challenge, the land of tomorrow. Thus, the Quebec Government, in its attitude toward the native people and its own people, seems intent on winning a proud place among the great achievements of earlier Canadian Governments, such as the expulsion of the Acadians, the repression of the Metis, and the wartime internment of the Japanese.

Ciaccia said that the Malouf judgment granting the injunction didn't say the native people had ownership of the territory. He said the current offer to "give" the native people one square mile per family was because "what they need is ownership of some land to give their community security which will guarantee that they will never be encroached upon." He also said the people had to realize "there is going to be a project there. They have to realize that the white man is going to come. You can't preserve an 18th century culture in the 20th century. It would be nice if we didn't need anything, but you can't bring society to a complete stop — you can't arrest progress."

Their own attorney, James O'Reilly, has told them that the project cannot be stopped, court orders or no court orders. O'Reilly told a meeting in Fort George in February that even if they win their case in the Supreme Court of Canada, the Parliament of Canada has the power to change the laws, to take away their rights, and to impose a unilateral settlement.

"Although the Federal Government has supported you until now," O'Reilly is quoted as saying, "if you keep fighting the project, in a few years the federal government may take away your rights because it too must take into account the wishes of the people of Canada. I know you want to keep your land. I know you don't want the project. But sometimes you have to do things that you do not want to do. We have to try to get the most possible out of every situation."

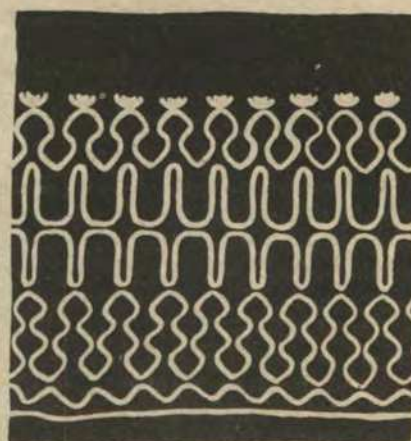
O'Reilly, the Montreal legal counsel for the James Bay people, concurs with Ciaccia. "White man will come anyway because he wants this land," he said. "And what white man wants, he gets."

Even while the Crees face the death of their culture and their land, a group of anthropologists have been funded to launch a study of their history and ways.

Dr. Richard Preston of the McMaster University's anthropology department is hoping to provide teaching material for Indian schools in the province. The Donner Canadian Foundation will pay him \$70,575 to do the job.

"Working out of Rupert House," a newspaper report of the project says, "the group will interview elderly residents in search of information about the folklore, customs, and crafts of the tribe."

(Thanks to Dorothy Rosenberg of the Montreal Gazette, Canadian News Synthesis Project, Toronto Star, Nick auf der Maur of the Last Post, James Stewart of the Montreal Star, William Borders of the New York Times News Service, Lucia Kowaluk of Our Generation and many others for their information used in this article.)



Saskatchewan



SOCIAL CHANGE IN THE NORTH

Regina, Saskatchewan — Shifting power from the Anglo establishment into the hands of northern native peoples will result in strong criticisms, but premier Allan Blakeney told a convention of Saskatchewan Young New Democrats (NDP) that his government plans to continue making social change.

"All we as a white government can do is create conditions for social change," Blakeney said. "The people of the north are beginning to develop an interest in self-government, beginning to make decisions — and to make demands. Three years ago, these people were largely silent. They expected nothing, and that's what they got."

The premier said the change involves transferring power "from the people of one culture with highly developed technology to people of another culture," and that is bound to carry criticism.

In the process of such a change, "at the start [the 'other culture'] picks an 'enemy' — and I use that in quotes," Blakeney told the group. "In the north, the most obvious target is the Department of Northern Saskatchewan (DNS).

The department, set up in 1972, admittedly is "making lots of mistakes," he said.

"But I'm not uptight about the sit-ins, that sort of thing, because it's part of the process." Organizing against something is a good way to get people discussing their problems, Blakeney said.

He said his government encouraged people in the north to take over responsibility.

"They must get out of the colonial attitude of looking to Regina for all decisions, and blaming Regina for all the problems. With power goes responsibility, and I think leaders are emerging who will assume responsibility . . ." the premier said. People working in DNS are involved in a "thankless task."

The price of having northern residents assume responsibility is criticism, particularly "from those who failed to do anything when they had the chance," Blakeney added.

Three Liberal Party members of the Legislature said they had returned from a fact-finding trip in the north and that people there "are literally pleading for help."

The trio claimed the problems they encountered were not those traditionally associated with the north, but had been caused by DNS workers. "Radical people in DNS are trying to get rid of anyone in authority — teachers, RCMP, white businessmen, and the church," John Gardner said for the Liberals.

At the school in Ile-a-la-Crosse, he said, 20 of the 22 teachers and the principal had left because of the situation. DNS reportedly had delayed rebuilding a school which had been burned down so that a local committee could make decisions.

Also, the legislators claimed, the easy availability of welfare meant that jobs were unfilled at the fish plant and sawmill.

In January, 50 Métis from La Loche and Buffalo Narrows occupied the DNS offices in Buffalo Narrows and Jonas Sable, a spokesman for the group, said it wanted welfare fieldworkers elected by the people, as well as a permanent Saskatchewan Assistance Plan (Social Security) worker in LaLoche.

The group cited the many difficulties which the people encountered in trying to receive or apply for welfare, particularly during last winter when weather conditions were severe. The group decided on the sit-in tactic when local welfare workers refused to attend a community meeting to discuss rules and regulations.

The occupation group grew to over 125 as the days went by. A former department employee, Dennis Poudreau, said DNS workers had been handing out \$50 food vouchers, and then calling a meeting "in the presence of a mission priest who is the most politically influential person in LaLoche."

After having received their \$50, the local residents "agreed that the sit-in wasn't worth the risks they would have to take in terms of the possibility of being refused government services," Poudreau charged.

As the sit-in continued, demands increased. Welfare should be increased 20% in places accessible by road, and 45% in areas accessible only by airplane, where food costs are higher. They called for the resignation of welfare supervisor Eugene David. And most importantly, they called for an alternative to welfare in northern areas. A recent pole-cutting operation was too underfunded and equipped with poor machinery to be a real alternative.



Even High School Students Sit-In

Last November, there had been sit-ins by 40 native students at the Balcarres, Saskatchewan, high school to protest discrimination by the white majority at the school, both students and staff. The protesters, who ranged from seventh to twelfth grade, also were angered at the lack of native culture courses and the imbalance of native representation on the school board.

The school has 127 Indian students, and 277 whites.

The group ended the sit-in at 8 p.m. the same evening when they trooped to a general meeting in the school gymnasium attended by about 300 parents and school

presence of this type of tenant has had a decided effect in the devaluation of all other properties in the area," reads a typical complaint.

In Edmonton, it is said, some real estate agents mysteriously run out of listings when they find out their potential client is an Indian. Employers who are asked to hire a native person as a salesman, teller, or waitress often reply, "I'd like to, but my customers won't stand for it."



The attitudes of police recall American feelings toward blacks. A police officer of one large city, asked about the state of relations between members of his force and native people, replied with a grin: "That just depends on how drunk the Indian is at the time."

Urban native people often have an unemployment rate of 50% or more, and they spend a lot of their time hanging around on street corners, sharply increasing their contact with police.

board members. Board chairman Jack Steuck told the press to leave the session, but he was interrupted by cries of "What have you got to hide?" and an uproar of noise. He dropped his demand without comment.



Chief Noel Star Blanket . . . still fighting the schools

Chief Noel Star Blanket, from the nearby reserve, said, "If our demands are not met we are willing to boycott this school and leave it to the white students and staff." Students told of being called "black Indians" and of general discrimination.

Steuck appealed repeatedly to the native group, naming and speaking directly to several: "Give us a chance. Give us time. You know me personally. You know we are working on this."

The meeting ended harmoniously after several speakers both Indian and white appealed for reason and generosity in understanding from both sides.

Last December, a group of native foresters who have been attempting to establish community-run cooperative forest industries in MacDowall, Reserve, Biggar, Sled Lake, Dore Lake, Keely Lake, LaLoche, Beauval, Mollonossa, Leoville and Sandy Bay, occupied the Saskatchewan Legislature for three days until they were able to meet with the Cabinet.

The groups have faced problems in financing their equipment, securing timber rights, and administration of their organizations in the face of competition with vested interests of three major companies. Earlier in 1973, the NDP Government had passed an act giving the province the power to cancel a company's timber lease, and to allocate wood within a company's lease to another cutter. The sit-in group was asking for the act to be implemented.

The agreement reached with the cabinet included information on forest management, favorable consideration of co-op application for cutting rights, consultation with co-ops in granting cutting rights to others, and recognition of the Peoples' Wood Producers Board as bargaining agent.

(Thanks to Canadian Press, Canadian University Press News Service, to Gary Smith, Len Moss, and Lief Hommen of the Sheaf, to Commonact Newsletter, and to the Regina Leader-Post for information used here.)

CANADA FINDS ASSIMILATION POLICY HAS SOME UNPLEASANT BY-PRODUCTS

Saskatoon, Saskatchewan — For a long time, discrimination against native people in the prairies and northlands was clean and tidy. Anglo-Saxons were in the cities and villages enjoying the advantages of a rich land that had been taken from native people. And the native people were "where they belonged" — on reservations and in rural settlements, out of sight, and seriously disadvantaged and poor.

While the discrimination remains the same still today, the scene is no longer tidy — the native peoples are in the cities. And the result is racial discord.

Television, first-hand observance, and government programs entice native people to the city with plenty of dreams but usually no money or skills. Then trouble with housing, welfare, employment discrimination and police harassment brings everyone — native and Anglo, — out of the dreamworld.

"Canadians have always smugly thought that the racial problems were all south of the border, but they're beginning to discover some right here," said Dr. Howard Adams, who speaks for the Métis people — natives who for some reason or another under Canadian law are not "official Indians."

Adams, a professor at the University of Saskatchewan with a doctorate from the University of California at Berkeley, says there are new signs of ethnic pride and strength among his people as they come into town.

In both Saskatoon and Regina, Anglo residents have signed petitions against their native neighbors. "The

Near the reservations, native people are used to dealing with merchants who often exploit them, but at least are eager for their business. In the cities, where Anglos are accustomed to dealing only with other Anglos, the story is different.

"You're in a department store and you need some help," explains Peter Dubois, who was born on a reservation but who now lives in Regina. "So you stand around, and wait and wait. It happens in bars and restaurants, too. You notice that you've been noticed, but there is a reluctance for the white waiter or salesman to come over to you."

Dubois is trying to set up a native welcome service to help newcomers. He says housing is their biggest problem. Landlords who do not refuse rentals often charge exorbitant prices.

Alcoholism — a symptom of a socially disorganized and maligned people — is one of the major health problems, and intoxicated native men and women are highly visible in the cities from early morning to late at night.

"That's what's upsetting," a white woman told a television interviewer in Winnipeg. "You go downtown to shop, and they're drunk all over. It never used to be that way."

So it is. Native people who expect to move into Anglo cities are likely to have to work hard to change their life-styles to fit Anglo ways — and Anglos are going to have to change prejudices and work things out because the native presence isn't going to go away.

(Thanks to William Borders, from whose article in the New York Times this piece was adapted, May 15, 1974)

TIME RUNNING SHORT FOR SETTLEMENT OF NATIVE CLAIMS — THE FUSE IS SHORT

Vancouver, British Columbia — "What can we get away with from the Indians and still be elected by the whites?"

That's what the Union of B.C. Indian Chiefs believes Canada's Indian Affairs Minister Jean Chretien is saying to them. What he actually says, they note, is, "Be reasonable!" The Union has cancelled meetings with federal negotiators over land claims because of federal delays in providing money for research and negotiation as promised.

Because of vast distances and a multitude of tribal groupings in B.C., said Philip Paul, land claims research director for UBCIC, money is needed for thorough research into land claims by the various groups. Unless the federal government furnishes this money, all negotiations become ridiculously lop-sided. UNCIC seeks \$500,000 to do the job.

The chiefs fear that parts of the province could become battlefields within two years unless the government sincerely tries to settle the land claims issue which has been festering for decades.

"If you keep people at the poverty level, they are not going to stay reasonable," Paul notes.

Paul says the only answer to the problems of great magnitude — high unemployment, poor education, drug and alcohol problems, an increasing number of suicides and murders — is self-development financed by payment for lost resources. Development via hand-outs from the federal departments won't work.

Paul says that all of the 192 bands in B.C. have lost land in one way or another, besides the general claim for the province itself. Encroachment by whites, government surveys, orders-in-council by federal and provincial governments, and surrenders and sales carried out by the Indian Affairs Department are just a few of the methods by which land has been taken.

By the end of May, Chretien had not come through with additional funds, and the UBCIC said it would reject the final offer of \$280,000. Furthermore, it said, it would refuse to negotiate any claims at this time. Paul said the stance of the government was proof it was not serious about bargaining.

Chief Jim Stelkia of the Osoyoos band estimated that up to 20,000 natives are willing to take up arms and occupy up to two million acres of land that has never been treated for by European governments.

Stelkia said that blockades for one day throughout the province would be made on all roads running through Indian reserves, with similar blockades continuing each month after until something is done. "The blockades are being organized to let the government know something has got to be done before a Wounded Knee type of thing happens in B.C.," Stelkia said.

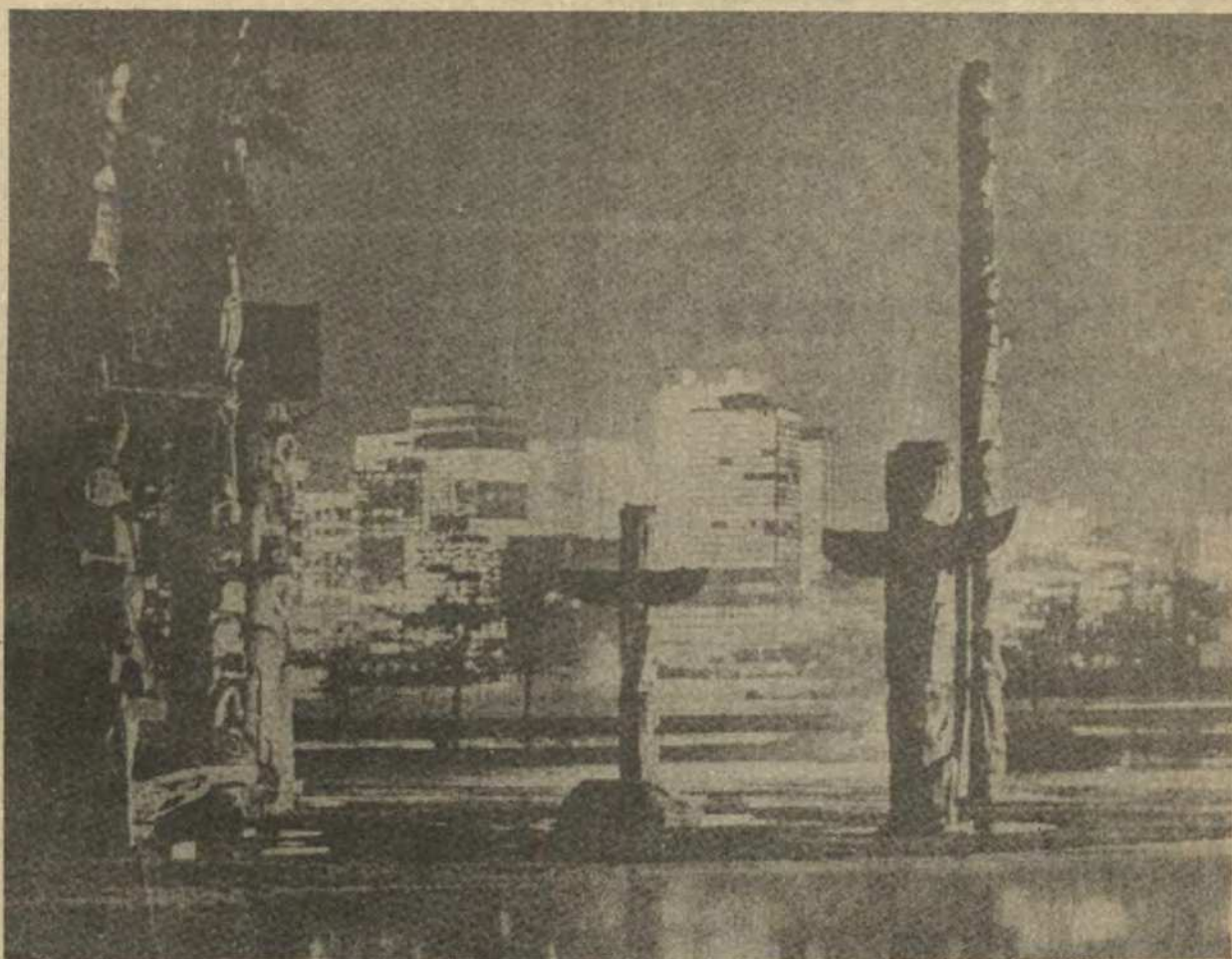
The blockade was endorsed by a massive majority of Indian bands represented at the UBCIC annual meet in Williams Lake in April. Although there were some abstentions in the vote, no one voted nay.



Stelkia already had organized a blockade last February at Osoyoos, but called it off at the urging of the UBCIC. At that time, he had said, "I'm 43 years old. We want to reap some of the benefits in this generation from the cut-off lands that were taken in 1912. I started on this particular issue in 1961. That's 13 years ago. I'm prepared to blockade the road. They say that 16 months in prison is the minimum I'll get for doing this. I'm willing to go through with it."

He had the manpower to do the job. Several hundred people had gathered in Okanagan Falls. He was persuaded by provincial Indian leadership and their attorneys to hold off — "I'm a hurt man," he said of the decision. The people on the road just picketed, slowing down cars to hand them leaflets. A big CPR train, pulling 50 cars, stopped at the highway crossing and the engineer came down from the cab to receive a leaflet.

Stelkia was gratified at the big turn-out. He said he had passed the blockade site at 7:40 a.m., and there was no one there. He had called the blockade for 8 o'clock. "I felt very dejected," he admitted. "Then all of a sudden — now I know how Custer felt. There were Indians coming from all over. . . When I seen all these people coming in, there was tears in my eyes — tears of gratitude. They made me feel so good."



Native People Against the Vancouver Skyline . . . Monuments to the Past, or Future? photo by John Mahler/Vancouver Sun

At a meeting in the Penticton Community Center the same day, Stelkia went through the history of how the land they sought had been taken from them.

"The old timers," he said, "were wise people. Wise beyond our comprehension. They were led astray, unfortunately to say, by religion. Priests were telling them things, and priests couldn't lie. The old timers couldn't read. They were told to sign a document which they thought was for the good of the Indian band. The words were read out to them that were not on that particular piece of document. The trouble with our old Indian people was that they were trusting. They fully trusted a person. This is the Indian way of life — it's the Indian way of thinking. Well, I got led astray somewhere — I don't trust a White Man. And fortunately, I can read and write."

Provincial officials have been sticky about negotiating with Stelkia, preferring instead to talk with UBCIC leaders who are "responsible," meaning that they will not take extra-legal measures or put pressure on the government to support their positions.

It is also believed that the NDP "people's government" wants Stelkia to take the matter into the courts. If the government would agree to pay compensation or return land, the white electorate might become disturbed. But if the government has to pay as a result of a court decision, it can plead that it is merely "following the law."

In a doublethink statement, B.C. Resources Minister Bob Williams charged that Indians are "harassing the provincial government about development" in the north.

Native people have charged that by proceeding with development, they are being pushed into rapid settlement of claims. But Williams said that the Indian threat to stop northern development until claims were settled was harassment. "Do minority groups have the right to harass the majority to the extent that these people suggest? I think not," Williams said in a TV interview.

The provincial government has taken no official position on aboriginal land claims, saying that the matter is a federal responsibility. But the federal government says it cannot negotiate claims until the provincial government participates in the talks.

The current government of British Columbia is of the New Democratic Party, supposedly a "people's government" which toppled the powerful regime of W.A. C. Bennett's Social Credit party. But now, it seems, B.C. politicians are rushing to prove that state capitalism can do anything private capitalism can do — so the rush is on to rape the north.

Secret Development Plan Comes Out

As it turns out, the provincial government has been making secret plans for massive mineral and forest development on the Indian lands in order to create 21,000 new jobs along a new network of highways reaching to the Yukon border. And most of this will be on land presently occupied by native people, or in disputed land claim areas.

Government officials have yet to discuss the matter with native people, who maintain there can be no development until land claims are settled.

The secret document was leaked from the Environment and Land Use Committee Secretariat which prepared a report for a meeting of 37 senior officials last February 18.

The report proposes new seaports, sawmills — including two sawmills for Canadian Cellulose in the Nishga's Nass Valley. Also proposed are smelters and mines. Apparently major corporations were consulted in drawing up the plan, but native groups were not let in on the secret.

Native groups have been adamant that a railroad into the government's northwestern development region should not be built until claims are settled. The rail line, which would run through the timber-rich Nass Valley, crosses two areas claimed by native people.

The railway is being built under a federal-provincial agreement by Canadian National Railways, a crown corporation. The 250-mile line will run north of Terrace to intersect with the B.C. Railway line at the Groundhog coalfield.

Currently, there are about 700 Nishgas and 300 non-Indians living in the Nass Camp area where the railway and sawmill development is proposed.

"A threatening and explosive situation" would develop if 2,000 construction workers suddenly moved into the area, says sociologist Bill Horswill. "The growth would make Nishgas a minority in their own territory. They have to have the most significant voice in how their valley is developed."

By the time the railroad was completed, there would be little incentive for the federal government to proceed with a land claims settlement.

The Nishgas have recently gained control over the schools in which their children are educated. But massive development in the area would have an overpowering influence. Besides, the newcomers would soon take command of the schools by simple majority.



Ottawa has been more prone to negotiate after the Supreme Court of Canada split on a claim by the Nishga Nation for a declaration of title to 4,000-square miles of the Nass River watershed.

The Nishgas have stuck to their guns in a 96-year-struggle, and for that reason they are greatly admired by other native groups. Much pressure is on Nishga leaders, however, to develop their valley once the land claim has been won. Observers fear that would mean cultural suicide, for the resultant influx of workers and control of the economic base by Canadians would mean giving them a slow stranglehold on the cultural atmosphere of the area. Then, the traditional-minded Nishgas would become mere museum pieces for the tourist trade.

Kamloops, British Columbia — Efforts of the Kamloops Indian band to have its reserve lands removed from city boundaries established by the provincial government a year ago have won the support of Kamloops Mayor Gordon Nicol.

In April, the band filed suit in British Columbia Supreme Court demanding the city exclude the lands. A similar case was fought in Ontario in the 1950s when Cornwall Island at Akwesasne was included in the boundaries of Cornwall, Ontario.

Nichol had said the provincial government had put the land in the boundaries. "It said what the boundaries would be," he said. "We were told to tax the leaseholders." Nichol said there seemed to be no reason for including the Indian lands in the city's boundaries when reserve land remains under federal jurisdiction.

While the mayor may not covet the native land, other people do.

"Wouldn't it be wonderful if 1,000 acres of beautiful flat land close to the heart of Kamloops suddenly was available for development?" the *Kamloops Daily Sentinel* asked last October in an editorial. "There is such land available now . . . the Indian reserve," it added. The paper suggested buying the Indians out in a "generous" offer so they could establish a new reserve "further away from the city."

George Leonard, chief of the band council, says it is unlikely that his people would sell.

"The city has been after our land for a long time. They have tried everything to get it," Leonard said. "As long as there is a river dividing us, we will stay separated." The North Thompson River is the reserve boundary.

Leonard, 53, was elected chief a year ago by a margin of 50-43 over former chief Gus Gottfriedson. His election was the second in six months — Norman LaRue, an active advocate for native rights, had won by a narrow margin but the Department of Indian Affairs declared the election invalid after a judicial inquiry found that five voters were not members of the reserve. Just before the rerun of the election was

scheduled, LaRue was charged, with common assault, failing to remain at the scene of an accident, and uttering a forged document — all unrelated incidents which made him ineligible to run for the office. He was later found innocent of the charges.

In the meantime, however, LaRue had cast his weight towards Leonard. "We owe him a great deal of respect for the way he encouraged people to stand up and fight against dictatorship and for what they believed in," Leonard said upon his election.



Norman LaRue . . . set the stage for a new deal

A judicial inquiry found an unfair division of benefits among the 300 members of the band, and said that control of the band was rapidly being assumed by a small minority of band members.

(Thanks to Terminal City Express, Kamloops Daily Sentinel, and Indian Voice for information used here.)

HIDAS MAY TURN TO UNITED NATIONS IN MOVE TO SECEDE FROM CANADA

Masset, Queen Charlotte Islands, B.C. — The Haida Nation has told the Canadian Government that it may secede from Canada with the assistance of the United Nations.

Some Haidas live in Alaska, and others in the Queen Charlotte Islands, some 80 miles off the coast of Canada from Prince Rupert.

"Because of the islands' location outside the international territorial waters of Canada," a letter to federal communications minister Gerard Pelletier said, "an appeal directly to the U.N. for autonomy is being considered." The letter was signed by Reynold Russ, elected chief of the Masset Band Council, and O.N. Adams, Haida hereditary chief of the village of Haida. They said the proposal was also stirring interest among the Haidas of Alaska.

The letter, dated April 9, arose from preparations being made by non-Indian communities on the islands to celebrate the 200th anniversary of the "discovery" of the islands by Spanish explorer Juan Perez. Russ said the native people were not consulted because the coming of Europeans to their lands had such an unsavory history.

(Thanks to John Braddock, of the Vancouver Province.)



ECONOMIC DEVELOPMENT TO ENGULF CAMPBELL RIVER'S TINY RESERVE

Campbell River, British Columbia — When the Campbell River Reserve got economic development, it got it in a choking dose. In order to get a 15-acre shopping centre, the band was more or less compelled to accept an entire development scheme, including a golf course, a hotel, marina, apartments and town houses to house 1,980 people. Indians now residing on the land — almost all of the entire 80-acre reservation — will move to their own residential site, where a cannery will be built to employ them. The developer is Dominion Construction Company of Vancouver.

DAM! DAM! DAM! DAM!

(Walter Taylor, who was the Society of Friends Philadelphia Meeting representative to the Senecas when they faced the Kinzua Dam crisis in the 1960s, now is active in preventing similar tragedies in James Bay and in British Columbia. These comments below appeared as a letter to the editor in The Province, a Vancouver newspaper.)

Many thoughtful and well-informed residents of British Columbia are worried about "the rapid pace of development in northwestern B.C."

... We are finally learning from much bitter experience over several decades that rapid development, secretly planned, without prior impact studies, and without effective public discussion, has led repeatedly to such gigantic disasters as the Aswan Dam in Egypt, the W.A.C. Bennett Dam in B.C., and now the multi-billion dollar James Bay hydroelectric project which threatens to destroy the entire way of life for thousands of Cree and Inuit residents of Northern Quebec, and to impose enormous environmental damages on an ecologically vulnerable area twice as large as England. All this for questionable benefits which turn out to be puny when compared with the true cost in incalculable damages to people, resources, and the environment.

What is really happening in northwest B.C.? In January, it was reported that the federal and provincial governments would soon announce a massive project for northwestern British Columbia, probably including five or six new hydroelectric dams and vast exploitation of other resources involving several billion dollars in public and private funds and affecting almost 100,000 square miles of B.C.

In a Canadian Press release December 21, however, Premier David Barnett denied reports that there will be five new hydroelectric dams built in northwest B.C., although he acknowledged that there may be some hydro projects in the future. . .

Since then, I received a personal letter with not yet confirmed information that engineering proposals calling for 15 to 20 dams in northwestern B.C. have been under study for more than a year. Is that true?

As Richard Bocking pointed out in his extremely well-documented book, *Canada's Water: For Sale?* "Lack of knowledge on the part of the public is the largest single barrier to public participation in the decision-making process . . .

"From coast to coast, water development has been characterized by a cloak-and-dagger atmosphere that makes open debate of the issues impossible. In most provinces, every effort is made to keep water planning under wraps until final and often irrevocable decisions have been made; then a grand announcement is made with all the appropriate flourishes. The work is under way before the public really knows what is happening."

Are we already too late again? Or can we still hope for constructive answers to some relevant questions?

Will the government of British Columbia allow [a] task force time enough to complete competent social, cultural, ecological and economic impact studies in the northwest before any project commitments are made? Will all promising alternatives be studied before any are adopted? Will there be public hearings with sufficient information and time available to consider community concerns and suggestions before any decisions become irrevocable?

Will the rapid pace of development in northwestern B.C. now be checked until extensive native land claims in northwestern British Columbia can be settled through deliberate, responsible, respectful negotiations — without holding a hydroelectric gun at the heads of Indian negotiators as the senior governments seem to be trying to do in Quebec?

Native land has been taken persistently throughout North America for scores of river manipulation projects since the Second World War. Promoters, financial interests, multi-national corporations and political puppets have been so impatient to rape the earth and reap a profit that they regularly push each project into irreversible construction before the people most seriously affected by it can learn enough to raise any effective objections. Impact studies can be done later if they are demanded. People can be moved if they are in the way. Courts and legislators can argue the constitutional and legal questions long after the deed is done. Get the bulldozers and dynamite into action first and then simply pay the damages later.

Some damages, it must now be understood, are not compensable. You cannot pay for genocide and terricide in cash no matter where you place the decimal point.



The Tall Grass Indian people of the Finlay Forks reserve suffered disastrous effects when B.C. Hydro took their land for Williston Lake created by the W.A.C. Bennett Dam. Previously independent, they were driven to welfare dependence. Similar tragedies have been imposed on native people from one end of Canada to the other.

All they are asking is that the senior governments of Canada consult fully and meaningfully with aboriginal people before permitting or undertaking alterations to our environment.

I hope the government of B.C. will consult earnestly with native people in northwestern B.C., not only to protect

aboriginal rights at long last, but also to employ the expertise of northern people in making wise decisions for future as well as present generations of B.C. residents, both Indian and non-Indian.

(Taylor has expanded on his thoughts in a communication with AKWESASNE NOTES:)

For the past quarter-century at least, North American governments, in collaboration with the "military-industrial complex" have conspired to prevent public awareness of preliminary studies undertaken for planning vast projects with uncertain benefits and undisclosed or unknown costs -- social, cultural, ecological and economic. By the time a project is announced, or the news leaks out to the people most seriously affected by it, it is generally much too late for public scrutiny, questioning, protest, or political action of any sort.

I have personally observed over the past decade or more that you are told nothing in the early stages of development except that "we are just looking around — it is much too soon to get excited." Before long, however, the answer changes to: "It's much too late now to be coming up with alternatives and objections. We have already committed so much money and we have let so many contracts that it would be impossible to change or stop the project."

This is documented in Richard C. Becking's depressing but dependable book, Canada's Water: For Sale? He wrote: "Lack of knowledge on the part of the public is the largest single barrier to public participation in the decision-making process . . . From coast to coast, water development has been characterized by a cloak-and-dagger atmosphere that makes open debate of the issues involved impossible. In most provinces, every effort is made to keep planning under wraps until final and often irrevocable decisions have been made. Then a grand announcement is made with all the appropriate flourishes — the work is under way before the public really knows what is happening."

Peoples of the North



ARCTIC & NORTHERN NATIVES UNITE IN LAND CLAIMS WITH FOUR NATIONS

Copenhagen, Denmark — Arctic and northern native peoples, including Inuit from Canada and Lapps from Scandinavia, agreed here November 25 to launch a collective effort to win government recognition of their rights to their lands.

Ending a four-day meeting here, representatives of the Arctic people adopted a resolution calling on their governments to recognize "with honesty" their collective ownership of lands and waters and their right to participate in any industrial exploitation of their lands "in a position of full equality."

The conference, the first of its kind, also established a committee to explore by next July the most practical ways of developing a permanent polar organization, which would be introduced in a new international conference within a year.



James WahShee . . . the time has come

Opening the conference was James Wah-shee, president of the Indian Brotherhood of the Northwest Territories who told the 30 delegates that the time has come for the "landlords of the Arctic area" to join forces and decide how to handle "our tenants." He warned that the world-wide "energy crisis" has added to the urgency of consultations among Arctic natives. "The sudden scramble for new resources poses a clear threat to our life-style," he said.

Listening were Canadian Indians and Inuit, Greenland Inuit, and Samé from Sweden, Norway, and Finland. Missing were representatives from Alaska, who begged off because of land claims negotiations.

The meeting, held at Christiansborg Castle here, ended up with adoption of a "bill of rights" for Arctic native peoples. "We are an integral part of the very lands and waters we have traditionally used and occupied," it noted. "Our identity and culture is firmly rooted in these lands and waters . . . We request the obvious: that the government of each state from which we come recognize our rights as peoples entitled to the dignity of self-fulfillment and realization."

While delegates indicated differences in individual approaches to governments and authorities, they all agreed they face a hard struggle against the rush for new sources of oil, minerals, or hydro power. Much of the discussion also indicated increasing concern over the maintenance of land claims.



At that, the delegates were hardly firm in their approach. One of the longest debates concerned the use of the word "demand" in their proposed collective approach to governments — on the suggestion of the Canadian delegates, the word was changed to the less provocative "expect". The resolution, as finally approved, asked the governments of each country involved to recognize "our rights as peoples entitled to the dignity of self-fulfillment and self-realization."

Most delegates agreed the meeting itself produced a great understanding, and the opportunity for a continuing exchange of information.

"Now for the first time we understand that we are all in the same boat," a member of the Canadian Inuit Federation said.

Urgent land-claim negotiations was the excuse given by Alaskan representatives for their failure to attend the meeting. The delegates unanimously declined to invite the Alaskan minorities to appoint a member to the working committee.

The conference also chose to ignore a message of sympathy from the Danish Indochina committees, which hailed the gathering as "a fight against imperialism." A Greenlander and a Canadian delegate warned the conference against falling into "the trap of political exploitation" from the outside. (Associated Press)

(Thanks to A.E. Pedersen for his special article to the Toronto Star, and to the Canadian Press.)

OBLATE PRIEST, TWO INUIT YOUTHS, SLAIN IN ARCTIC SHOOT-OUTS

Aklavik, N.W.T. — An Oblate Catholic priest and two Inuit youths were killed and a Royal Canadian Mounted Policeman was wounded in an outburst of shooting in this northern village of 700 persons on May 25.

The priest, whose name was temporarily withheld pending notification of next-of-kin in Europe, had been posted in the North for 38 years. He was 67 years of age. It was the first time a priest had been killed since the 1930s when an Inuit killed a priest. In 1967, a priest was shot in a similar incident, but he escaped death as the bullet passed through four layers of clothing.

One of the youths, Eugene Lawrence Thrasher, 16, was fatally wounded when Constable C.F. Bunting, 26, went to the mission after the priest had been shot and fatally wounded. He apparently shot the police officer in the shoulder, and then was killed after the constable enlisted the aid of a citizen.



Two doctors flew into the village in answer to a radio appeal, and accompanied the priest, the constable, and Thrasher to hospital. The priest and Thrasher died in the hospital a few hours later.

A seven-man force of RCMP officers flew into the village on the same plane, and drew gunfire from the village. As officers approached a house, a 16-year-old youth emerged from the front door and opened fire with a rifle, police said. He was killed almost instantly by police fire.

His name was not released immediately since his parents, out on a trapline, had not been notified.

What was behind the rash of violence was not immediately known.

(Thanks to the Toronto Globe and Mail and Canadian Press)



" TO AGAIN BE OUR OWN MASTERS "

(The following statement is extracted from remarks made by James WahShee, president of the Federation of Natives North of 60, and of the Indian Brotherhood of the North West Territories, to the Foundation Franchise d'Etudes Nordiques Fifth International Congress at LeHavre, France, May 4, 1973.)

. . . We came here, as did the rest of you, to learn. For three days we have listened to your thinking concerning our ancestral home and how you are planning to exploit it. Now we feel the time has come for us to tell you of our hopes and plans so that we all might understand each other completely.

As you know, we are the indigenous people of the Canadian North. As the indigenous people, we believe that we have certain rights both moral and legal. We claim aboriginal rights, a legal concept that has been recognized for centuries in the Western World . . .

Most of you here have been in the North and know first hand of the appalling economic, social, and cultural situation our people are enduring. We did not choose to live this way, but through white migration to our areas, it has become difficult for us to follow our

traditional life-styles. Now with the spectre of a pipeline, a road, and all the attendant services, it is apparent that for most of our people, it will be impossible to live from the land any longer.



So we are faced with the future. Many people have told us that our future includes oil and a pipeline. Perhaps, but we believe that it will hold these things only if we have settled all our land claims satisfactorily.



You see, we cannot allow anymore development in the North until we are assured that it will benefit us for many years to come. We are the owners of the land and we believe that we have this right.

Until now, much of what we have presented must sound sinister and familiar to you. This need not be so, for we are a reasonable people. We believe that the extraction of our northern mineral resources are perhaps in the best interests of the native people and the developers, if the native people are assured that our share of the wealth will allow our people to compete as equals with the rest of society.

For a pipeline to benefit us in the long run, we must be employers as well as employees from the outset. We must be assured not only of enough royalties from resource extraction to guarantee a better life, but we also require direct participation in the planning and decisions of developments. This will ensure an active and not passive role for our children in our North.

To be more specific, the monies from a land settlement will enable us to take up for ourselves the development of a different economic system more in tune with our values and culture. We could also assume responsibility for many of the services now being run by others. . . Another and very important aspect of land settlement would be the exclusive parcels of land that we would control. We could use this land to ensure to some degree that our children will be able, now and in the future generations, to still practice our hunting traditions. These lands could also serve to ensure the protection of many now endangered species of wildlife which we are concerned about.

To be blunt, a satisfactory land settlement would allow us to again become our own masters.

When our land claims are settled, the question of title to land would be resolved and the developers could then move ahead assured of proper ownership and free from legal action. . .

Nova Scotia

Sydney, Nova Scotia — For some native groups, the revival of strength has taken the form of spiritual and cultural renewal. In Eastern Canada, Micmacs and Malecites have turned to land reclaiming via occupation and legal negotiations.

In Newfoundland, native peoples have been regarded as extinct, ever since the extermination of the Beothuks. But a group of Micmac/Métis emerged at Conne River to protest the creation of a provincial park at Chiberjeej (Little River Park) which the 132-member group said would hurt their hunting, fishing, trapping, and logging on their traditional lands.

The native group told provincial tourism minister Tom Doyle that land claims in the area had been ignored, and if the province was unwilling to negotiate, the natives would turn to the courts.



In New Brunswick, Tobique Malecites announced a claim to 12,500 acres near its present reserve, including all of Perth-Andover, a town of 2,000. They say the land was illegally surrendered to the federal government in 1892 — no order-in-council authorizing deeds was issued according to recent research of the Union of New Brunswick Indians.

Other claims are being explored by the St. Basile Band, St. Anne's Point, Brothers Islands, Woodstock reserves.

Big Cove Reserve members pressed a 3,000-acre claim last winter, and the Federal Government has already admitted that 1500 acres should be returned. However, the Department of Indian Affairs is hopeful that the 60 non-Indians now occupying the land will not have to move. It says the occupants, including many wealthy Americans, should be able to lease the land from the band council at a nominal fee. Evictions, it says, would cost about \$3-million in compensation.

In Nova Scotia, the city of Sydney petitioned the Exchequer Court of Canada to have a Micmac reserve removed from the city because it was "unsightly." That was in 1909 — now the Micmacs are pressing for compensation for the area, saying it was never legally surrendered. And that is just one of 57 similar claims recently forwarded through research of the Union of Nova Scotia Indians.

Last summer, a group of young Micmacs from Eskasoni Reserve staged a rotating occupation of the National Park at Kejimikujik, near Caledonia, Nova Scotia. The land, they said, was an Indian reserve, and had never been surrendered. As a national park, it is administered by the Department of Indian Affairs and Northern Development, the same agency that is supposed to protect lands from encroachment.

Greg Johnson, a leader of the occupation, complimented the Department, however — the roads, campsites, and sewage systems, he said were great. "They never put that much on the reserves," he noted.

The group hoped for a court test on ownership of the land. If it is ruled that it is reserve land, the group said it could still be used as a park, but with native people employed. They propose opening up part of the 145-square-mile area as a reservation for other native people who wish to live a natural life.

A year ago, 20 occupants of lands claimed by the Red Bank Reserve were served notice by the Department of Indian Affairs that they were occupying Indian land, and that they would be evicted. However, the non-Indian occupants are still on the land, and the federal government has not proceeded with court action, nor has it offered compensation.

Also in Nova Scotia, the Middle River Reserve — which was 4,500 acres when it was created in 1842 but which now has shrunk to 650 acres — is seeking federal action to recover 2300 acres its members say was illegally sold to non-Indians in the 1800s. Native people have complained bitterly for years about the loss of reserve lands, but it has been just recently that adequate legal research has been done on the problem.



The present occupants, however, accuse the Federal Government and the native people of lying. And they add: "We are not prepared to surrender one square inch of land which we have been occupying since a century and more unless it can be shown that this is the only possible course of action, having discussed this in the fullest, fairest, most open fashion possible." The statement was made in an open letter from the Nyanza/Middle River Property Owners Association.

The property "owners" are demanding that the federal government give them the same financial support for research and legal counsel as it has given the Union of Nova Scotia Indians.

GIVING IT BACK TO THE INDIANS

(There have been so many land claims by native peoples in the Maritime Provinces recently, that this tongue-in-cheek article was written by John G. Pitts in the Pictou Advocate, a Nova Scotia newspaper.)

At a special press conference Monday morning, the premier of Nova Scotia announced that after years of studying the Micmacs' 57 land claims, a decision has been reached — we've given the entire province back to them.

The provincial government of Nova Scotia (formerly called the Union of Nova Scotia Indians) has stated that non-Indians will be treated fairly. One-way passage to "country of ancestry" will be paid



to any non-Indians who wish to leave before the 30-day eviction deadline expires. Those leaving may take 500 pounds of possessions and \$300 to assist in resettling.

. . . It was suggested that some non-Indians might be allowed to stay on reserves in parts of the province not suitable for other uses. But the idea was dropped when the problem of air-tight peace treaties was brought up.

Several politicians kindly agreed to stop packing long enough to be interviewed. All agreed that the Indians' Council now in charge of Pictou County will not last. They based this prediction on the fact that the Indians were running things honestly and everyone knows how long a perfectly honest government would last . . .

CHICKENS COMING HOME TO ROOST ALL OVER CANADA

(This commentary is by Linden MacIntyre of the Halifax Chronicle-Herald, reprinted in the Micmac News.)

The current awkward manoeuvring on the issue of Indian land claims is a perilous one for all of Nova Scotia. The scales of justice are practically in balance, because the culprits responsible for the contemporary difficulty are almost all dead.

There is no doubt whatsoever that the Indian people have been relieved of great slices of lands that were allotted for their exclusive use by a crown and a new nation which wanted to avoid difficult debates on ownership, or as it is now called, aboriginal title. There is hardly any doubt at all that the transfers of Indian lands from reserves to private non-Indian use were illegal.

Our non-Indian ancestors might have prevented the entire mess had they confronted the issue of ownership of the new land and reached a negotiated settlement in the beginning. They did not, assuming possibly that the Indian

race would vanish in a mass conversion to Christianity and Western European values.

Our ancestors miscalculated seriously a number of key points.



They didn't foresee that the very instrument they chose for accommodating Indians of their time, the reserve, served to insulate the Indian identity from the values and biological processes they hoped would do their legal work for them.

They underestimated the Indian memory which, fed by an ancient tradition of oral education and value transmission is infinitely longer than any non-Indian, schooled in books and institutions, could ever realize.

They did not foresee that a day would come when the collective conscience of a white society would boggle before a conflict of interest between white man and Indian.

Their short-sightedness, therefore, has created a situation in which thousands of non-Indian Canadians must, in 1974, resolve a heart-breaking confrontation between their right of possession, obtained in good faith, and a demand by Indians for retroactive justice.

The historical chickens have come home to roost in a number of locations across the country.

In Quebec, the issue has come under a large spotlight in the James Bay region, because white society feels it is necessary to flush an Indian civilization off the earth in the interests of ever-escalating power consumption. It has come to a tiny focus here on the shores of Nova Scotia's Bras d'Or Lakes where a band of Micmacs have decided to confront government in a bid to recover several thousand acres of land they feel were illegally taken from them.

James Bay and Middle River, while extremes in degree, offer important lessons for Indian and non-Indians while

they ponder their moral positions before Ottawa decides what to do with about 57 Micmac claims — and there will undoubtedly be more — to lands that were once part of reserves.

James Bay illustrates the immorality of a government casually and unilaterally assuming the right to evict people from their environment, whether those people are the Indians of James Bay or the whites of the Middle River/Nyanza district.

. . . The band wants the land back, and insists Ottawa compensate non-Indian occupants for any investment they have made in the land.

The priorities list calls for immediate return of crown and unoccupied lands. Non-resident Americans would go next, followed by Canadians who are exploiting the resources of the land, then commercial interests, non-resident Canadian people, and finally, non-resident Nova Scotians, in that order.

. . . Nova Scotia can still emerge from this reckoning with its soul and its conscience in a much improved state, and the transfer of title to a few thousand acres of land will be a cheap price to pay in the long run.

Alberta

TRADITIONAL NATIVE MARRIAGE "NOT LEGAL" ACCORDING TO INSURANCE FIRM

Hinton, Alberta — The legitimacy of traditional native marriages is being challenged by an insurance company which says it won't pay a \$2,000 death benefit to an Indian woman because her 12-year marriage was "not legal."

Shirley Chipaway, whose husband Solomon, was killed in an automobile accident in December, 1972, sought the benefit from Cooperative Fire and Casualty Insurance Company of Regina, Saskatchewan, saying she and Solomon were wed in May,

1960, at Hay River, N.W.T., in a traditional ceremony.

The company refused to recognize the marriage, but after prolonged negotiations, did recognize the couple's six children, ranging in age from 12 years to less than a year, as heirs of Solomon Chipaway and eligible for total benefits of \$20,000.

Ken Brady, Hinton druggist and provincial registrar for the Hinton district, handled negotiations between the Chipaways and the insurance company. He said the company's refusal to recognize the traditional marriage is "a clear case of discrimination because these people are Indians." "Families who come to this country from overseas require just their word that they are legally married," said Mr. Brady. "We have a sworn affidavit from Chief Peter Ochiese, the hereditary leader of their band. He was at the wedding. The insurance company has refused to accept the chief's word."

In the North West Territories, however, the couple's marriage is recognized as legally binding.

Payment of the insurance is a mixed blessing, however. Because the children have access to the trust fund, welfare payments have been cut off, and none will be paid until the trust fund has been exhausted. And yet they have all the problems of welfare recipients. Their money is provided by the local welfare agency in usual welfare amounts, and then payments are billed to the trust account and paid back to the agency by the public trustee.

Mrs. Chipaway, the children, her mother, sister, and a deaf-mute uncle now live in a 10-foot by 14-foot cabin at Entrance, 10 miles west of here and 170 miles west of Edmonton. The cabin has no electricity nor running water, and yet rent is \$50 a month.

(Thanks to Canadian Press for this information.)

CANADIAN ELECTIONS MAY CHANGE INDIAN AFFAIRS PICTURE GREATLY

Ottawa, Canada — While many native people do not participate in Canadian politics, still there is a curiosity about what effects they will feel when the July elections for members of parliament is over.

The general consensus around native organizations in Ottawa is that the worst thing that could happen to them is a majority government. For the last few years, there has been a minority government in power, meaning that the smaller parties held the balance of power and could make deals favorable to native interests.

There is the feeling that if a majority government is indeed elected, that a Liberal majority will be worse than a Conservative majority. The Liberal Party has been well entrenched for years now under Prime Minister Pierre Trudeau, and a further mandate from voters could give it a carte blanche in Indian Affairs.

Across Canada right now there are several key issues in Indian relations, all of which will turn with the attitude of the government which takes office after July 8: negotiations on land rights and aboriginal or native title being pressed right across Canada; the role of the federal government in the threatened destruction of Cree and Inuit lands of James Bay; and the promised control of Indian education by Indian parents through their own institutions.

The issues of finding new sources of energy will also have an effect on native peoples. The Mackenzie Valley Pipeline, oil exploration in the high Arctic, the destruction of the waters in northwestern Ontario and Manitoba, the development of a commercial port at Churchill, Manitoba and development in the wilds of British Columbia are all pending.

The administration of the Department of Indian Affairs and Northern Development, is, of course, an over-riding issue. The bureaucrats there have seen many a government come and go, and seem to be able to maintain the status quo without difficulty. Still, every minister leaves some imprint.

Under Trudeau's minister of Indian Affairs, Jean Chrétien, for instance, there has been the program of "Indian police". Thousands of dollars have been poured into bringing "law and order" to the reservations as an alternative to sending white police into Indian communities. But then it turns out the Indian police are only "special constables" of the RCMP, and often, lacking proper training, act to protect the vested interests amidst increasing lawlessness.

Native people are never really sure where they are at with Chrétien, a sharp politician. In the summer of 1970, the Commons Committee on Indian Affairs had declared that contracting Indian education out to the provinces had been as grand a failure, by anyone's standard, as the previous policy of farming Indian children out as cheap labour at church-run industrial training schools. This all-party committee, with the

hard-won support of virtually every Indian organization across Canada, brought down a unanimous report recommending that Indian parents be given the same control over their children's education as non-Indian parents have customarily enjoyed.

But in September, 1970, five days after a school boycott had started in northern Alberta, Chrétien went to Thunder Bay, Ontario, to address a meeting of the Catholic School Trustees Association. Only through their Catholic schools, he told the assembled trustees, could Indian children ever achieve the ability to compete on an equal footing with their own children.

"We Can Wait Until The Indians are Ready"

In 1972, the Trudeau Liberals were returned to power — but this time they had lost their majority. The New Democratic Party held the balance of power. It had been pledged to recognize aboriginal rights for many years.



Jean Chrétien . . . Great White Father & Proud

Both Conservative and NDP parties have fought against the Mackenzie Valley pipeline, though sometimes without persistent effort or apparent conviction. Flora MacDonald, the Conservative Indian Affairs critic, has been in the forefront of the fight to condemn the federal government for its failure to fulfill its constitutional obligations by allowing Quebec to devastate both the land and the native people of the James Bay area. She has taken her battle outside the House and conducted numerous public meetings in conjunction with the Cree leaders and legal advisors.

NDP spokesmen Wally Firth and Frank Howard have concentrated more heavily on detailed knowledge of local issues and specific problems. They have nonetheless been able to show that the government's claim that northern people want a pipeline to deliver their gas to the U.S. market is a vision seen through the smokescreen of the Minister's executive jet. Frank Howard was the man who finally forced the House to debate the report of its own Indian Affairs Committee on Indian education after the Government had stalled for a whole summer.

Generally, it is believed that much of the funding of Indian organizations — which has never exceeded \$3-

million out of a total Indian Affairs budget of \$300-million, would have been cut off long ago if there had been a strong majority government under the present leadership. Whatever the hopes were when the government agreed to fund its Indian opposition, and despite the feeling among many parts of the Indian community that these organizations have failed to criticize the Government hard enough, the Government has found that they have been unable to buy them out to the extent of re-arranging their priorities for the price they were willing to pay.

Chrétien reached the end of his patience publicly twice in the past year. When the Indian Brotherhood of the North West Territories sought a caveat on land it says were never ceded, the Minister refused to be represented before the Supreme Court of the Territories, where Mr. Justice William Morrow is noted for his fairminded consideration of native claims. When the Federal Appeal Court upheld Morrow's jurisdiction, he had to appoint a legal-aid lawyer, who was later paid out of appropriations to the Department of Indian Affairs intended for destitute native people, to represent the Government of Canada in his court.

When the James Bay Cree told the lawyers to find every legal means to fight the Bourassa Government's proposed James Bay Development Project, Chrétien threatened to cut off federal funds being used to pay the lawyers. At this point, even the most devoted liberal assimilationists found the minister — who so often has decried "paternalism" in his refusals to intervene in support of the Cree's position — a little embarrassing.

The trouble is that a Conservative majority is not likely to do ever so much better, despite their support in the past Parliament. While Flora MacDonald has attacked the Minister with great vigour, neither her leader nor other members of the Conservative delegation on the Indian Affairs committee have given her more than token support. Nowhere does Robert Stanfield, Conservative Party leader, appear to make any statement unequivocally promising to stop federal support for James Bay, to return control of the Mackenzie Valley to the people who live there, to guarantee the funding necessary for Indian control of education without interference from the civil servants, to honour the full spirit of the treaties with the prairie Nations, or to recognize the native title of the west coast Nations in British Columbia.

Trudeau had left Chrétien in his Indian Affairs post long enough to achieve some results. Historically, Indian Affairs has not been a popular position.

Chrétien takes some pride in his accomplishments, and soft-pedals the criticisms. "One basic thing I've done and I'm quite proud of," he says, "as you see, there are Indian organizations all over the place that didn't exist when I came. I started all that by giving them money. Of course, in doing that I was creating a situation in which I was going to be criticized. I had to accept that from the beginning. What I see now, compared to 1968, is a new personality in the Indian, as a man who speaks out, who lets out his frustrations. That is important. This is great."

While there may be some truth to his claim, he can hardly take credit for similar changes south of the Canadian border where the change has been equally apparent.

STOLEN DOCUMENTS: CHAPTER III

(Last August, a group of native youth occupied the Indian Affairs Headquarters in Ottawa. When the occupation was over, highly confidential top-secret files were missing. Eventually, copies were mailed to the press. Earlier editions of NOTES have carried analysis of the documents — here is another chapter.)

Who Is An Indian?

Colonialists have always had a problem in defining who is "us" and who is "them" when it came to the native peoples whose lands they appropriated. At first, it is an easy matter, but as centuries go by, it becomes more complex. Some nations, like the U.S. and South Africa, define a person by blood count, leading to terms such as "half-breed" or "quarter-blood." But Canada's Indian Act has defined an Indian as a person descended through the male line from a man entitled to hold land on a reservation in 1876.

Now that Canada is talking about buying off the aboriginal rights of the native people, the government has gotten fouled in its own snare: there are many native people who are not officially "Indian" who have these rights, as well as official "Indians" who don't.

But according to a highly confidential document snatched from the Ottawa Indian Affairs files, the Indian Department recommended to the cabinet on April 5, 1973, that both groups should be paid off to settle all the questions forever.

The lines in the document which will haunt the government most are:

"The operation of the Indian Act, marriage, and enfranchisement (the process by which Indians can apply to cease being Indian) has given rise to an unknown number of persons not eligible for registration but who have a greater proportion of native blood than some who are registered."

Later on, the document defines the "other people" who must be considered.

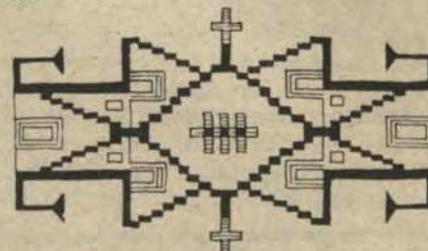
"Persons of native origin who are neither Inuit nor Indians within the meaning of the Indian Act may be Métis — the descendants of white traders and their Indian wives — enfranchised Indians and their descendants, those descended from Indian people who do not choose to enter into treaty, or those who were ineligible for registration by reason of illegitimacy."

The document makes the case that many who are "officially" Indian have no "apparent physical trace of Indian blood . . . yet the members of that family can still claim Indian status."

On the other hand, "Persons of Indian ancestry may have a greater proportion of Indian blood than registered Indians." It says that "in contrast to the 'Indian' family which has lost all apparent physical characteristics of its Indian ancestry and may have completely given up the Indian way of life, so there may be non-status families retaining all physical characteristics and maintaining the Indian way of life but which have lost status . . ."

Until now, the document adds, the Canadian government "has avoided assuming any explicit responsibility for non-status Indians."

In the future, however, it adds, "there is little if any justification for excluding any group on the basis of present status or including them for the same reason. There is no doubt that many status Indians have less blood than many non-status Indians. However, if a definition based on proportion of Indian blood should be adopted as a means of determining eligibility to participate in any settlement, it should be borne in mind that many status Indians might be excluded from the settlement."



Thus, to the comfort of many native people who were not recognized as "Indians", the position of the government in the matter has now been made public.

To others — perhaps the ones most interested in the money end of claims — the conclusions which could be drawn are inevitably not so comforting.

As Douglas Fisher, a former member of parliament and columnist, points out, "If the government recognizes that 'blood' and 'way of life' must be an intrinsic and fair part of a claims settlement, why not immediate recognition that the benefits pouring out from Ottawa to many who do not have so good a blood or 'way of life' claim, should go, in all fairness, to the deserving but 'non-status' native people."



INTERIOR DEPARTMENT RAIDS CRACK DOWN ON NATIVE USE OF FEATHERS

Oklahoma City, Oklahoma — In a series of raids, the U.S. Government cracked down on native people's use of feathers, arresting 28 people in April, and announcing proudly it had "broken a ring" responsible for the slaughter of migratory birds. A massive uneasiness spread slowly throughout Indian country, and an outcry of protest started to swell.

Federal press releases churned out statements proclaiming that a "widespread operation responsible for the slaughter of thousands of migratory birds" had been cracked by the arrests. In simultaneous announcements in Oklahoma City and Washington, D.C., the officials said that federal agents, working under cover, had smashed the ring.

Charges were filed against 28 persons as the result of investigations begun by U.S. Fish and Wildlife Service: Henry Bushyhead of El Reno; Barbara Clark, T.C. Davis Jr., of Elk City; Charlotte Doxtator of Oklahoma City; Sy Hall of Lawton; Dr. Gary Hays of Clinton; Laura Jones and Daisy McLaughlin of Lawton; Milton Noel of Weatherford; Fray Palmer of Lawton; Charles E. Rowell of Mears; Nellie Stevens of Clinton; Lucious Aitson of Woodward. Also, Sam Buffalo, James Clark of Marland; Frank Erhard of Stillwater; John Feikes, Steve Platt of Stillwater; Joe Rush of Ponca City; Randy Vaeth of Stillwater; Margaret Blanket of Cache, Roy Burns of Weatherford; Bobby L. Lorentz of Shawnee, Bill Ramey of Lawton; Shalah Rice Rowlen of Meeker, Dennis Tate Tooahimpah of Duncan, and Herman Walbaum of Caddo County.

Interior Secretary Rogers C.B. Morton said there are legal means for native people to get bird feathers for legitimate religious ceremonies, and that anyone who failed to follow those procedures was subject to prosecution. Morton said possession or sale or barter or trade of any feather or part of a feather is prohibited.

"Regardless of who killed the bird, or how long ago it was killed, it is illegal for these items to enter commerce in any form," he said.

Although the charges were petty, hardly a misdemeanor, the many press releases from Washington made the situation to be very serious indeed. Oklahoma Indians were pictured as dastardly criminal types killing off thousands of migratory birds each year. And, some of the defendants said, they could hardly be a "criminal ring" — none was charged with working with the others.

"I come by my feathers by searching highways where birds may have shed their feathers, or where a dying bird may lie after being struck by a car," Henry Bushyhead said. "This charge is just another excuse to harass the Indian craftsman."

Bushyhead said the charges also smacked of entrapment.

He said a federal agent "came to me more than nine months ago and encouraged me to make a ceremonial headdress. That's entrapment."

Specifically, Bushyhead is charged with selling feathers from scissortails and flickers. He said that while some eagle plumes were confiscated, he never sold feathers from that bird.

"I knew it was illegal to sell eagle feathers. I also knew it was illegal to kill hawks, but I didn't know it was illegal to sell feathers of birds other than the eagle," Bushyhead said. "But I do not intend to stop work in my craft," he added. "It was something I was born with and have been practicing ever since I was able — it cannot be taken away from me."

OKLAHOMA MAY FORBID SCHOOLS TO EXPELL LONG-HAIRED INDIAN KIDS

Tulsa, Oklahoma — A bill to forbid local school boards from suspending students for wearing ethnic or racial dress to class won cautious approval of a House committee in the state legislature here February 26. It now awaits action on the House floor.

More than 200 students have been suspended for dress code violations, many due to hair length, and mostly native young people, according to William Rose, director of the state's Human Rights Commission.

A delegation of parents went to Washington last autumn to try to get BIA help in the matter, but they were told by Marvin Franklin, assistant to the secretary of the Interior Department, he "couldn't do a thing." Senator James Abourezk, however, promised he would check to determine whether federal law had been violated by the Oklahoma regulations.

"It's ridiculous to penalize Indian kids because they dress like Indian kids," he said.

The group included Lillie Cummings and her son, Lawrence, 13; Martha Grass and her son Kim, 13, Viola Hatch and her son, Buddy; George Heskell, 14, and Virginia Moore and her son, Wilson, 13.

Another defendant, Mrs. Laura Jones, confirmed that last October, she sold a fan made of feathers to an agent during an arts and crafts show at Shepherd Mall shopping center.

"The fan was made of litter I picked up on the highways five years ago," she said. "If I had known I was violating the law, obviously I would never put the fan out on display in public."

Members of the Kiowa Business Committee also protested the arrests, and asked that the defendants be represented by the U.S. Department of Justice.

"We of the Kiowa Tribe of Oklahoma," the resolution states, "have lost our land, we have lost control of our lives, we have been subjected to humiliation and intimidation in our schools, our language has been suppressed — still our spirit lives. . . Our spirit is expressed in our dances, in our songs, in our religion by means of certain symbolic and aesthetic parts of our apparel; in many cases, these are borrowed from our brothers, the animals, that live in the earth and by those that fly in the air. . . The charges against these Indians have been frivolous and the searches of Indian homes has been carried out in the vulgar manner characteristic of the non-Indian culture."

One wag, Elton C. Yellowfish, a Comanche, suggested someone should give Rogers Morton a feather for his cap for his dedicated endeavor to help kill another facet of the Indian way of life.

The storm of protest which swept across Indian Country prompted the National Council on Indian Opportunity (NCIO) to host a two-day seminar in Albuquerque, New Mexico, June 3-4.

Robert E. Lewis, governor of the Zuni Pueblo and head of NCIO's Indians, announced the meeting at the Marina Hotel "because of serious problems concerning critical issues affecting traditional and cultural practices, values, and ceremonials of American Indians."

Besides the eagle feather controversy, participants will discuss matters relating to the use of the peyote sacrament. Jim Atcity, a Navajo from Window Rock, will represent the Native American Church viewpoint.

NCIO, which usually echoes and backs the federal viewpoint, met April 11 and resolved that the Interior Department "cease the harassment of Indian people" as evidenced by the recent arrests.

Marshall Stinnett, the special agent in charge of law enforcement for the Fish and Wildlife Service, said in Washington that the agents had seized 40,000 feathers from the native people and from 14 white dealers arrested on similar charges. In addition to eagle feathers the defendants had feathers from hawks, owls, and songbirds, all of which are protected by U.S. law, Stinnett said.

While Stinnett called the arrests routine, Gerald Wilkinson, executive director of the National Indian Youth Council, said that native people viewed the arrests as the possible beginning of attacks by the U.S. on Indian religion.



"The eagle feather represents a covenant between the Great Spirit and the Indian," Wilkinson said. Religious traditions would have a hollow ring to them if they were conducted with plastic or cardboard feathers, he said. He said that native people were so upset that many were burying their traditional costumes and feathers to keep them from being seized.

Interior Secretary Morton said that the migratory bird protection act in "no way interferes with the

Pawnee school superintendent Leroy Hollaway said he had been relieved by the court's refusal to hear the appeal. He said it had been a trying and disruptive experience, and that he "was anxious to get back to the business of teaching young people to become useful citizens."



The U.S. Supreme Court in December denied a review hearing for three Pawnee students — Norman New Rider, Lloyd Cummings Jr., and Kenneth Smith — who had been suspended from school because they wore their hair in Pawnee styled long braids.

The local school board had said "it would be practically impossible to enact a dress-hair code for different ethnic groups within a school system which would not create a disruptive atmosphere." Justices William O. Douglas and Thurgood Marshall dissented from the majority opinion of the court, saying the school board action was an infringement on free speech.

American Indian religious ceremonial use of these animal parts."

"The Interior Department maintains a repository where the remains of all eagles that are killed by accident or die naturally are stored for free distribution by permit [from the Interior Department] to Indians who are practitioners of bona fide tribal religious ceremonies." Religious leaders must first be certified by the Interior Department, and then they in turn can give letters to individuals in their following who want feathers.

Not only is the procedure itself all but sacreligious, but it's hard to get the feathers. Wilkinson said he applied 18 months ago, and has yet to get a feather. Cornell Tahdooahnippah, a Comanche, said that one medicine man had been waiting over ten years now.



— AIPA photo
Sam Buffalo, a Cheyenne-Arapahoe, presented Senator Dewey Bartlett the headdress of eagle feathers, pictured above, in 1968. Buffalo was recently arrested for possession of eagle feathers — Bartlett is still at large.

The National Indian Youth Council also noted some selectivity in the persons who were arrested. It seemed that only non-Indians who had been active and popular with Indians, and Indian religious leaders got tagged. Sam Buffalo of Seiling received a summons — but although he had publicly presented Senator Dewey Bartlett with an eagle wing fan which he now displays in his office, Senator Bartlett was not arrested.

Mayor Patience Latting of Oklahoma City also has an eagle feather war bonnet prominently displayed on her office wall — but the mayor's office was also left undisturbed by federal agents.

Those wishing to help support native people in the Great Feather Ring Case should contact:

National Indian Youth Council
POBox 3028
Norman, Oklahoma 73069

(Thanks to the Anadarko Daily News, Oklahoma City Times, United Press International, Martin Waldron for the New York Times News Service, American Indian Press Association, and The Indian News, a native paper published at POBox 15407, Del City, Oklahoma.)

CHILOCCO PLANS \$8-MILLION EXPANSION OF BOARDING SCHOOL OPERATION

Chilocco, Oklahoma — Contrary to reports that the BIA is getting out of the boarding school business, and despite notoriety gained a few years ago because of reports of brutality to students, the Chilocco Indian School is slated for an \$8-million campus expansion program.

Over \$200,000 has already been spent on a planning design. New structures will include a classroom building, library, cafeteria, gymnasium, and remodeling of other existing buildings. An additional \$400,000 is needed to complete the study. Construction would be completed by 1979. The school now has about 300 students.



The school has had almost 1,000 students, but newly appointed superintendent Jim Baker, 33, says that plans call for an enrollment of 500 in the new facility. Included in the cost will be computerized record keeping to save the time of teachers.



Pit River People Seek Return Of Land

Washington, D.C. — The Pitt River tribe of northern inland California has asked the Supreme Court of the U.S. to order a review of its claims after receiving no response to requests for White House intervention, and after denial of petitions to the Federal Court of Appeals and the U.S. Court of Claims for a reopening of their case.

The Pitt River people have for years been trying to get the matter into the courts, often by occupying land or blockading logging operations on their ancestral lands.

Represented by Aubrey Grossman of San Francisco, the petition, filed April 15, asks that the high court order a review by the U.S. Court of Claims of the 1964 Indian Claims Commission (ICC) judgment that the Pitt River claim to 3,500,000 acres had been resolved by the overall settlement of California Indians awarded at that time.

The Pitt River group points to discrepancies in the referendum supervised by the BIA to determine if the settlement was acceptable. It argues that the 47 cents an acre paid is significantly less than the value of the land, and finally, that the tribe was prevented from dismissing its attorney at that time and obtaining the services of a lawyer willing to appeal the ruling.

The attorneys profited immensely from the settlement, receiving over \$2,600,000 — understandably they were reluctant to have the judgment set aside or even delayed. Not only did the U.S. prohibit the

Pitt River people from changing lawyers, but they were refused permission to file an appeal of the U.S. decision.



Aubrey Grossman . . . now to Supreme Court

Grossman summed up the complex case this way: "First, the U.S. took away the tribe's land illegally. Second, it prevented the tribe from having any hearings on the value of the land taken. Third, it would not let the tribe choose its own attorney to fight for this hearing. Fourth, when the tribe finally found an attorney who would work without fee, the government argued that it had now become too late for any court to review the case. Fifth, the Court

of Claims refused to give the tribe any hearing on whether the Pitt River people's constitutional rights had been violated. Sixth — it is now up to the Supreme Court to say whether the tribe will get a hearing or not."

In 1964, when the tribe tried to retain noted attorney Melvin M. Belli to enter an appeal, the Commissioner of the BIA notified Belli that his contract would not be approved because the BIA was not notified in advance of the tribal meeting in which the decision was made to hire him, and because that meeting "was not called by a [BIA] representative" as prescribed by federal regulations. Grossman has tried to get around the problem of government approval by serving without fee.

Grossman has been spending months at a time in courts on the issue, and still the matter is in the air. "I am becoming convinced that the Government has no intention of permitting Indians access to the courts on fundamental questions or for review of the Government's most reprehensible actions against Indians," Grossman charged.

Among the California native population, the Pitt River Tribe with less than 500 members is believed to be the only group fighting for land restoration. Other California Indians have formed an organization called California Indians for a Fair Settlement and are seeking additional cash payments for their 64-million acre settlement. Approximately two-thirds of the Pitt River lands are within the jurisdiction of the U.S. Forest Service, and most of the remainder is owned by large corporations. Grossman estimates that a land base of 10,000 acres would permit the tribe to become economically viable.

Grossman's vigorous prosecution of the native interests has led him into hot water with his conservative colleagues. He recently appeared before a Bar Association hearing in which his disbarment was sought. The hearing panel has not yet announced its decision.

(Thanks to the American Indian Press Association.)

U.S. CAN'T SEEM TO SPARE 40 ACRES OF DESERT FOR LANDLESS PAIUTE GROUP

Bridgeport, California — A small Paiute settlement of sixty persons who have been told to get off land they have occupied for well over a century now, have been struggling with the BIA and Congress for three years now to get a tiny 40-acre plot of sagebrush on which to relocate.

The impoverished band of people were told to move off their ancestral land in 1968, when a white man claimed title to the land, and said he had the papers to prove it. After a number of dead-end efforts, a formal appeal was made in March of 1972, asking the Department of Interior to create 40 acres of trust land on a piece of desert controlled by Interior's Bureau of Land Management. The request was labelled "urgent."

The Paiute settlement is "owned" by contractor Hank Eitell, who wants to build a new subdivision on a 160-acre site. However, as a journalist noted, "a handful of Paiutes next to the white man's suburb may cut his sales."

True, the Paiutes live in shacks which are ovens in the summer and are mostly unheated during the winters. The decaying collection of wood-and-tarpaper shanties is less than a quarter-mile from U.S. Highway 395 and the main street of town.

California, to be called the Bridgeport Indian Colony. The bill, introduced in the summer of 1972, passed the Senate, but got hung up in the House.

There, the legislation was given an unfavorable report by the Department of Interior's BIA, which said, "The Indians currently living at Bridgeport is not a federally recognized Indian entity, and as far as we are aware this group is simply a number of persons who live as neighbors and does not have any legal status."

The Paiutes got into their current situation because Congress did not ratify a treaty they had negotiated with U.S. President Fillmore in 1851. The treaty took away most of the lands they had, but because of the failure to ratify the agreement, the U.S. did not keep its part of the bargain and left them without any land.

The Paiutes point out that the Interior Department can well afford to part with 40 acres — in Mono County alone, Interior controls 298,000 acres of real estate. Also, they point to the Desert Land Act, which says that no patents can be issued on land on which occupants (Indian or non-Indian) are living. Just the same, a patent was issued to a Bridgeport man in 1914 despite the prohibition. The patentee wrongfully signed an affidavit saying that the entire 160 acres was unoccupied by Indians.

Senator Cranston has introduced his bill again, and says he is optimistic about its chances in the Senate, and pessimistic about its chances in the House.



Bridgeport Paiutes Face Eviction from Humble Homes



— Native Nevadan

Bridgeport is located in the high Sierras, and the two outdoor water faucets — the only source of water for 20 dwellings — generally freeze in the winter when temperatures in the area can dip to 30-degrees-below-zero.

Only three of the twenty families have a fully-employed member. There are 35 adults and 25 school-age children.

Because of the situation, Senator Alan Cranston introduced Senate Bill S-3113, to declare that the U.S. hold in trust 40 acres of certain lands in Mono County,

The poor Paiutes don't know how to deal with the situation. One said, "Everytime we try to do something for ourselves, Anglos label it as radicalism or militantism." Hank Glazier, chairman of the group, adds, "We have tried many a road, but it is always a dead end. We are not asking for clothes, food, or any handouts — our greatest need is support on this bill."

(Persons interested in supporting the Paiute cause can clip this article — or quote from it — in writing your senator or representative in Washington.)

(Thanks to the Native Nevadan for their information.)

YUROKS CAN SHARE HOOPA ASSETS AS SUPREME COURT DENIES SUIT REVIEW

Washington, D.C. — The Hoopa Nation of California must share its reservation resources with members of the Yuroks to the north, as the result of actions taken here in the Supreme Court April 23. (Background information appears in NOTES Early Winter, 1973, p. 33.)

The court denied a review of an earlier court decision rendered last October 17 by the U.S. Court of Claims, which had held that an 1891 presidential executive order adding Yurok-owned lands to the Hoopa Reservation in northeastern California, gave the Yuroks the rights to share in all the assets of the enlarged reservation.

The Yuroks had sued the U.S. for failure to include them in distribution of monies from the sale of timber on former Yurok land called "The Square" beginning in 1933.

The impact of the decision would mean that at least some of the 3,000 Yuroks would become voting members of the Hoopa Nation. Yuroks outnumber Hoopas about two-to-one. It is also possible that the Yuroks and Hoopas could set up a joint business committee on the model used by the Shoshones and Arapahoes on Wyoming's Wind River Reservation. It is also possible that the Hoopas could seek legislative remedies. (AIPA)

RONALD REAGAN'S MANSION PLANS HALT BURIAL SITE CEREMONIALS

Sacramento, California — Governor Ronald Reagan wants to build a new mansion. The site he has chosen — to the dismay of native peoples — is an old Indian religious site and burial grounds.

A group of native people petitioned the governor in March for permission to hold a private, "strictly religious" ritual there May 12 — but they were turned down.

The reply, which came from the State Police, said that the site "is now a construction site and cannot be used for any other purpose." However, there is, to date, no construction going on there.

The religious meeting was held on an alternate site at D-Q University May 11.

(Thanks to Smoke Signals, the newsletter of the Federated Indians of California, edited by Marie Potts, dean of native journalists.)

U.S. DISCRIMINATION IN HEALTH SERVICES CHALLENGED BY NATIVES

San Francisco, California — A class action complaint against the U.S. Department of Health, Education and Welfare has been filed by California Indian Legal Services, challenging "discriminatory denial" of health services for native people of the state, and directed toward obtaining better medical services for California's nearly 70,000 native persons. California has little Indian Health Service benefits or federal health programs under contract, in the wake of the 1950s termination policy in California. (AIPA)

Bay Area Radical Teachers' Organizing Collective has a LaRaza section in its current newspaper with good material for Chicano teachers and students. Send them 75 cents for a copy of their Summer, '73 issue. Lots of other good articles too. BARTOC, 388 Sanchez, San Francisco, California 94114.

i press, a small publisher, is working on a book of protest poetry, including works from all oppressed groups in America. It is looking for poets who would like to submit work. Write Karen Lindsey, 145 Hanover St., Boston Massachusetts 02108.

At Moon Mountain Indian Wildlife Preserve lies a real opportunity. Richard Thorpe, a Mohawk, wants to use his mountain retreat to perpetuate Indian arts and crafts. He wants craftsmen to make their home there — he is an extraordinarily talented craftsman himself. There is a good location for a trading post, amphitheatre. Young Indians who want to learn craftwork, drum-making, carving, etc., will not go wrong in learning from this true brother. Contact him at 7073 Rogue River Highway, Grants Pass, Oregon 97526. Telephone: 582-1322.

United Press reports the U.S. Senate has passed legislation which would forbid any U.S. Citizen or government agency from seeking to influence the outcome of foreign elections. Now if that would apply to tribal elections . . .

"Viewpoints in Indian History" will be the title of a conference to be held August 8 thru 10 at Colorado State University. The purpose of the conference is to explore the ways in which Indians and non-Indians have viewed each other historically. Contact: Prof. Daniel Tyler, Dept. of History, CSU, Fort Collins, Colorado 80521.

The all-Indian Pueblo Council Communications Project is seeking a radio program director who need not be Pueblo, but preferably would be Indian to direct and coordinate preparation of broadcasts in English and Tewa. Contact: Ernest Lovato, Communications Director, All-Indian Pueblo Council, POBox 6053, Albuquerque, New Mexico 87107, or call (505) 247-0486.

A map of Connecticut tribal locations has been printed up by John Hiller, 135 Otis St., Stratford, Connecticut 06497. It's available for \$2.

The National Lawyers Guild is seeking students, legal workers, and lawyers for summer projects involving native peoples. Last year, the project centered in on researching land and water rights for Washington State peoples. Contact: National Lawyers Guild, 558 Capp St., San Francisco, California 94110, or call 285-5066.

Next time someone talks about native people speaking better English, remind them that skunk, raccoon, moose, quahog, mackinaw, hickory, pecan, succotash, woodchuck, hominy, squash, opossum, persimmon, tomahawk, moccasin, caucus (meaning an elder counselor), muskrat are just a starter on native words — not to mention Chicago, Tallahassee, Mississippi, etc.

A new native American loan fund has been established by the Hill Family Foundation for those going into areas of health services. The University of Minnesota's Opportunities in Health for Minorities will administer the program. Objectives: more physicians. Grants up to \$2500 per year.

TIDBITS



A public television station in the Los Angeles area is interested in developing programs to institute social change in the community — and they are interested in Indian issues. Native people needing TV coverage in the area should contact Michael O. Colvin, KVST TV, 1633 Westwood Blvd., Los Angeles, California 90024.

A women's project planning to publish a journal of women's music wants to include work of Native women, as well as articles about women who make music as performers or writers. Contact: My Sisters' Song, POBox 90475, Milwaukee, Wisconsin 53202.

The Forgotten People, a newspaper published in Ottawa by the Native Council of Canada, is seeking a native person as editor. Contact: Executive Director, Native Council of Canada, 77 Metcalfe St., T1010, Ottawa, Ontario K1P 5L6 or call: (613) 238-3511.

Persons needing help with legal research done cheaply and quickly might explore the workings of the Legal Research Program at Duke University School of Law, Durham, North Carolina 27706. The work is done by second and third-year students who provide an objective analysis of the law involved, application of the law to the facts submitted, and a conclusion as to the most likely disposition of the case. Only costs involved are for secretarial work.

The Minneapolis Star is offering internships to native people interested in newspaper experience. The program was formed in cooperation with the Newspaper Guild and the management. Interested persons should contact Pat Marx, Minneapolis Star, 425 Portland Ave., S., Minneapolis, Minnesota 55415.

The Southern Conference Educational Fund, which has been active for years now in eliminating racism and affording opportunities for oppressed peoples in the southern United States, is raising funds through the sale of posters, cards, cookbooks, and a calendar. One attractive note card carries a nicely inscribed quotation from Poundmaker, the famed Cree leader, "We Can Never Forget What has Happened, But We Cannot Go Back nor Can We Just Sit Beside the Trail . . ." The quote first appeared on an AKWESASNE NOTES poster. Send \$2.50 for a dozen cards to SCEF, Box 5174, Jackson, Mississippi 39216.

Creating an American Indian presence at each of the 17 private colleges in Minnesota is the goal of a foundation helping to place native faculty, counselors, and studies. Contact Kent Fitzgerald, Coordinator, Indian Education Project, Minnesota Private College Research Foundation, 550 Cedar St., T807, St. Paul, Minnesota 55101 or call (612) 296-6837.

The Journalism Department of the New Mexico Highland University has developed an intensive two-year program in Bilingual Mass Communications. Students will receive practical training and professional experience leading to an Associate of Arts Degree. Contact: Ray Newton, Director; Mass Media Program; New Mexico Highlands University, Las Vegas, New Mexico 87701.

Good native craftsmen are few and far between, and are badly needed to teach their grandchildren. We remember some we have seen in travels with NOTES who have much to teach: Sam Gray Wolf, Barney Grey Fox, Richard Thorpe, Art Solomon — we wish them all good health, steady hands, sharp eyes, and many young people at their feet.

A native editor is wanted to edit monthly national church newspaper in New York City. Interested parties contact: Jovelino Ramos, National Council of Churches, Room 824, 475 Riverside Drive, New York, N.Y. 10027 or call (212) 870-2915.

Dickie Laughing of Akwesasne, who made many friends during his travels with White Roots of Peace, was elected president of the Organization of North American Indian Students at Northern Michigan University this year. ONAIS is a group interested in promoting the culture and education of Indians of Michigan.



Sinte Gleska College Center on the Rosebud Reservation seeks a director of the special education training program, and instructors in early childhood and elementary education. Master's degrees are required. Contact Sinte Gleska College, Rosebud, South Dakota 57570 or call (605) 747-2263.

Dr. Madge Skelly, an Onondaga, recently received a Federal Woman's Award, honoring her for introducing Indian sign language as a means of communication for voiceless veterans at the St. Louis Veterans Hospital.

A two-year college-level construction course will include carpentry, cement work, building, plumbing, brick laying — and is designed for native students throughout the U.S. over age 18 — at Lassen Community College. Write for information from Lassen Com. College, Highway 139, Susanville, California 96130. Teachers are needed, too.

The American Indian Scholarship Fund Association is launching an "Indians in California Arts and Crafts Catalogue" to raise funds for American Indian students who can't complete their education because money is not available. Copies are soon to be available, so craftsmen wanting to be listed should contact Catalogue, POBox 67465, Century City Station, Los Angeles, California 90067.

Nancy Oestreich Lurie, a professor at the University of Wisconsin in Milwaukee and a staunch friend of Wisconsin Indians, became curator of anthropology at the Milwaukee Public Museum last Autumn, succeeding Robert Ritzenthaler, who has retired.

A newsletter is being circulated for the benefit of Indian medical students. It contains data on scholarships, loans, and other news. Send pertinent information or requests to Editor Jeral Ahtone, ANAMS Newsletter, POBox 525, Hanover, New Hampshire.

Behavioral Sciences Department at New Mexico Highlands University, Las Vegas 87701, is looking for an instructor or assistant professor in cultural anthropology with specific knowledge of native peoples of America. Contact Gabino Rendon, Chairman. Highlands has a predominantly Chicano, Black and Native American student body and encourages involvement in the area community.

Native people interested in training for positions as professional librarians can get information on library careers from the Office for Library Personnel Resources, American Library Assn., 50 E. Huron St. Chicago, Illinois 60611.

Recruitment of native students is underway at a campus with an Indian Cultural Center and Indian Students' Club. Contact: Coordinator, American Indian Studies, California State Polytechnic University, 3801 W. Temple Ave., Pomona, California 91768.

An Environmental Advocacy Program to train eco-activists to use expertise in ecology, economics, social change, and political science are being trained in a special program that is a natural for native peoples. Training includes an understanding of environmental problems, and skills in community and system change. Students looking for a field of study should contact: James Crowfoot, School of Natural Resources, University of Michigan, 430 East University Street, Ann Arbor, Michigan 48104.

Manitou Community College at La Macaza, Quebec, is a native two-year junior accredited college requiring a comptroller-administrator with a university degree. Very good knowledge of French and English required. Salary \$14,000 or so. Contact George Miller, POBox 129, LaMacaza, Quebec, or call (819) 275-2315.

A little newsletter which often echoes native sentiments is the homely Little Free Press. Send them a quarter for "Freedom Kit 2" for seven leaflets you will want to read and give to someone. Write Little Free Press, 715 E. 14 St., Minneapolis, Minnesota 55404.

A chairperson for the Department of American Indian Studies is needed by the University of Minnesota. A doctoral degree is preferable, but not essential. Salary is \$23,500. Contact Clara Sue Kidwell, Faculty Search Committee, Department of American Indian Studies, 812 Social Sciences Tower, University of Minnesota, Minneapolis, Minnesota 55455. Candidates are also needed for faculty positions at all levels and at competitive salaries.

RESOURCES

CLOUD DANCE SONGS OF SAN JUAN PUEBLO



INDIAN HOUSE RECORDS

The Music of Our People

These recordings are available in LP-albums, cassettes, or 8-track cartridges. They are \$6 each.

Indian House Records

ROUND DANCE SONGS OF TAOS PUEBLO — available in two volumes. Specify volume one or volume two.

TAOS ROUND DANCE — again in two vol. with the special intricate melodies Taos singers are famous for. Specify volume 1 or 2.

DITCH-CLEANING & PICNIC SONGS OF PICURIS PUEBLO — a collector's type album of an individual singer sharing work songs.

TURTLE DANCE SONGS OF SAN JUAN PUEBLO — a beautifully strong album.

CLOUD DANCE SONGS OF SAN JUAN PUEBLO — songs for the coming of Spring.

ZUNI FAIR LIVE — a collection of songs sung for public enjoyment.

NAVAJO SWAY SONGS — social songs sung to help people regain good health.

NIGHT & DAY YEIBICHEI — more Navajo songs.

NAVAJO SKIP DANCE & TWO-STEP SONGS

NAVAJO GIFT SONGS & ROUND DANCE

WAR DANCE SONGS OF THE PONCA — two separate volumes. Specify vol. 1 or 2.

PONCA PEYOTE SONGS — Three volumes of this ceremony to see the Creation. Specify volume desired.

COMANCHE PEYOTE SONGS — available in two volumes.

HANDGAME OF THE KIOWA, KIOWA-APACHE, AND COMANCHE — all the excitement of Carnegie Roadrunners vs. Billy Goat Hill.

KIOWA 49 WAR EXPEDITION SONGS — exciting Plains-style dance songs.

KIOWA CHURCH SONGS — Christian songs sung in Kiowa in a unique fashion.

SONGS OF THE MUSKOGEE CREEK — available in two volumes. If you like stomp-dancing and sound of shells . . .

BLACKFOOT A-1 CLUB SINGERS — two volumes available.

OLD AGENCY SINGERS OF THE BLOOD RESERVE — two volumes available.

SOUNDS OF INDIAN AMERICA — PLAINS AND SOUTHWEST — a variety of songs collected at the Gallup Ceremonials several years ago.

PUEBLO SONGS OF THE SOUTHWEST — a collection of many styles of songs from various pueblos.

We are now distributing Indian House recordings for resale in record stores, bookstores, or for fund-raising projects by native groups. There is a 40% discount, on orders of \$100 or over. We suggest a special packet of 28 albums — with a retail value of \$168 — for \$100 with our selection of a variety of titles. This sampler is a good chance for a bookstore to discover popular titles for re-order. Returns permitted.

Canyon Records

SOCIAL SONGS OF THE ARAPAHO SUN DANCE sung by Wind River Singers.

CHIPPEWA: 12 war dance songs for pow-wow sung by Ponemah Singers of Red Lake.

CREE POW WOW SONGS from Rocky Boy's Reservation's Parker Singers.

MESQUAKIE BEAR SINGERS. How those Mesquakie people love their music. War dance songs by Red Earth People.

SONG OF THE INDIAN: A COLLECTION. A good first introduction to native music, with selections from Tewa, Apache, Zuni, Hopi, Cheyenne, Navajo peoples.

FORT KIPP SIOUX SINGERS. War Dance songs by Sioux Valley Singers recorded at Fort Qu'Appelle Celebration.

GREAT PLAINS SINGERS: 19 songs by nine plains groups, including Kiowa, Arikara, Shawnee, Southern Cheyenne, Ponca, Northern Arapahoe, Northern Cheyenne.

TAPES

GHOST DANCE: a discussion with an historian of Indian music about the origins of the Ghost Dance, its relation to Indian religious tradition, and how its misinterpretation contributed to the Wounded Knee Massacre. 15 minutes.

RUSSELL MEANS TALKS: about the AIM patrol in Minneapolis which got the organization underway; AIM's relations to the church, plus a statement of AIM's spiritual basis. 30 minutes.

ARCTIC HIGH RISE: two short items with women of the Arctic describing the increasing pressures of northern colonialism as they experience it. (1) Three women and a Kabloona talk about making-do in southern-type apartments while their families carry on hunting, fishing, and other traditional occupations. (2) A young Inuit girl describes what she sees around her, how the white school books tell of her world, and how she would have it told . . . if it's not already too late. 30 min.

OLD TIME RADIO: In 1949, when the native press had little of the strength we feel today, and mainstream media gave no serious attention to Indian matters, Arnold Marquis produced three radio dramas depicting the life and history of the Indian Nations. These programs today are enlightening most for their reflection on North American attitudes at that time, as well as for their stories, drama, and information. There are three titles, each thirty minutes in length:

HEAR ME, MY CHIEFS! is an authentic account of Chief Joseph's historic defense of Nez Perce lands against encroachment. His brilliant tactics and his speeches to his chiefs and children. Starring, if you can believe it, Ronald Reagan.

THE ONLY GOOD INDIAN is an historic document, setting forth the social situation and current problems. While the situation has somewhat changed, the program reflects a stage and development in our history. Starring Gregory Peck.

THEY MET THE BOAT, a fantasy in which Columbus returns after nearly five centuries, and tours America with an Indian guide to learn what wreckage has grown from the European invasion which he began. Starring Gary Cooper.

ANIK ALTERNATIVE: You can continue the domination of the people simply by giving them infantile activities to occupy them." No one ever asked the Inuit and Indian people of the North if they wanted to see Hollywood soap operas with a \$90-million satellite put up in 1973 named "Anik," an Inuit word for brother. It carries anything northward, little southward, and nothing between isolate points in the Arctic. Almost half this program examines alternatives to the mass media which native northerners said they would prefer. Produced by Dalaskakis. 45 minutes.

NO MESSAGE FOR THE SOUTH: A provincial cabinet minister, a judge, and a TV reporter are among those taken in by Cree foster parents to learn the language and the ways of the people of Moose Lake. Both foster parents and their "children" sum up their experience of exchanging roles by saying, "There is no message for the people down south until they come and live with us." 15 minutes.

JUDGMENT ON JAMES BAY: The recent decision by a Quebec court ordering work on the James Bay Hydro Project to cease, and an appeal decision lifting the order, are discussed by Cree and Inuit leaders, their lawyers, Canadian politicians and others. 45 minutes.

RIEL, DUMONT AND THE BUILDING OF THE RAILWAY: As Louis Riel has become the folk hero of the prairies, Metis people have come more to admire his chief military lieutenant, Gabriel Dumont. Historian Desmond Morton tells why Dumont is the greater leader, and an Australian playwright portrays Canada's first Prime Minister participating in a "negative conspiracy" to bring on the Second Metis uprising to stimulate support for the building of the railway. 30 minutes.



The tapes listed in this column are part of a series for schools, discussion groups, tape libraries, radio, and individuals. The series is always being updated, added to, and this list is mostly new additions.

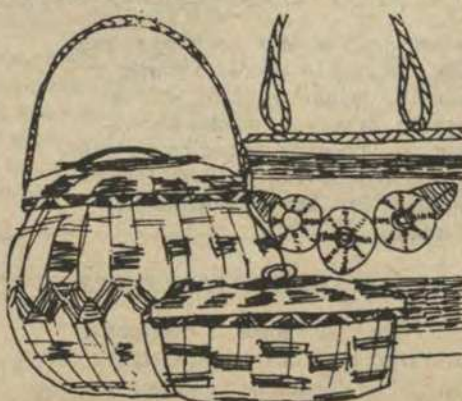
Prices are for reel-to-reel tape at 3 3/4 ips, or on cassette or cartridge. (Please specify!) Institutions are expected to pay full price, but individuals and those who can't afford more can pay half-price.

30 minutes — \$7.00
45 minutes — \$8.50
60 minutes — \$10.00
90 minutes — \$11.00

WHOLESALE CRAFTS

High quality beadwork: necklaces, hair-ties, bracelets, ear-rings, chokers, bolo ties and other items are now available, as well as black-ash & sweet-grass baskets from Akwesasne. There is some leather-work: mitts, mukluks, belts, headbands.

Most are one-of-a-kind items too difficult to catalog. While we can fill some individual orders, we highly recommend the crafts on a discount basis for fund-raising. Each item is tagged with a suggested retail price, and we can send a 30-day consignment of \$130 retail value for \$100 wholesale of a variety of items. Any unsold items can be returned at any time. These handmade crafts will sell well at powwows, craft fairs, bazaars, and other events.



MEDICINE HERBS

VALERIAN ROOT

A full description of this relaxing tea was published in the *Late Autumn*, 1973, issue. It is available for \$1.50 for 3 ounces with a leaflet describing its historical use by native peoples.



AMERICAN DOGWOOD

Native people use dogwood as a substitute for quinine, and some peoples have used it for diseases caused by weakness of the stomach and the bowels. It is said to revitalize the tissues and speedily removes pain from diseased parts. We can send a 3-ounce pouch of cut bark, postpaid, for \$1.



SASSAFRAS: Anyone who's tasted root beer will recognize the fragrance of this herbal medicine. It's a refreshing tea made of the bark of the roots. It's an eastern North American plant — legend has it that the wind-swept smell of the plant helped Christopher Columbus to convince his mutinous crew that land was near.

We add an ounce of bark to a quart of water already boiling, and let it steep a while. The bark can be re-dried and used over again. The tea has a deep red color. Add a little honey to taste.

Native people have claimed that it is useful for a blood tonic, for painful menstruation, and for skin eruptive diseases like boils, acne. It is used by some tribal groups for relief of pain after childbirth. A poultice can also be used for ill-conditioned ulcers.

Eastern people can collect the rootbark themselves — but those who live in cities or where the plant doesn't grow can order it from NOTES for \$1 for three ounces, postpaid.

charts

Royal Ontario Museum Charts

These beautifully designed and printed charts are spectacular: about 34 x 40 inches, with an explanation in French and English. Great for displays, for classes, even hanging in a home. There are six in the series:

NASKAPI (a northern people)
MUSICAL INSTRUMENTS
QUILLWORK
WOOD CREE
TOYS AND GAMES
ASSINIBOINE

Each chart is \$3.00, postpaid.



INDIAN TOBACCO

KINNI-KINNICK — blends of herbal ingredients and fine tobaccos — is available from us. It is mixed, packed, and shipped from the Mohawk Nation. There is a brochure on the six available blends, but the best way to try it is to order 2-ounce samplers. They are \$1.15 each, or 3 for \$3.15, postage-paid. Test them out to find a favorite for re-ordering in 1/4 or 1/2-pound pouch.

Each blend of KINNI-KINNICK is representative of the old mixtures for social smoking. The blends we have:

Eastern Woodlands
"Ceremonial"
Old Chippewa Straight
Mohawk
Western Plains
Northwest Coast

One blend, Old Chippewa Straight, contains no tobaccos — just barks, roots, leaves, herbs.

For tobacco shops, commercial outlets, or for fund-raising by groups, we suggest a sample shipment of six two-ounce pouches of each of the 6 blends for \$25 postpaid. That's a 1/3 discount. Returns permitted any time.

Order from: AKWESASNE NOTES, Mohawk Nation, via Roosevelttown, New York 13683.



OUR OWN PUBLICATIONS

Indigena Pamphlet Series

The Rights of Indigenous Women in Columbia

A strong statement by native women, made in the 1920s, illustrated by Miguel Sagüé. This is not a dry, legal statement, but a manifesto of the women themselves — strong, stirring, and emotional. 25 cents.

A Hard Look at American Catholic Folklore: A pamphlet with two articles by Richard Lundstrom, "Mohawks, Martyrs and Myths," and "For If the Indian Peoples Die, Who Among Us Deserve to Live?" Just 25 cents for a copy of these reprints from NOTES. Church groups are buying them by the hundreds for lively discussion at 40% discount, for any large quantity.

AKWESASNE NOTES Resource Catalog:

A listing of books, albums, and other resources. Handy for schools and libraries, and for individuals who want more books on native matters. We'd be glad to send it upon request — a quarter would help with printing and postage costs.

"Willie Dunn"

A stereo LP-album with words and music by Micmac/Metis folksinger Willie Dunn, including a grass dance and chief's song by Jerry Saddleback, Cree. Lyrics printed on album cover, including Ballad of Crowfoot, The Carver, Charlie Wenjack, Louis Riel, Pawnbroker, I Pity the Country, School Days. \$5 postpaid. Available also in open reel, cassette, and 8-track cartridge at the same price.

Six Nations Museum Series

Wampum Belts

A book recording Iroquois historical transactions memorialized by wampum belts made by Ray Fadden (Tehanetorens), owner of the Six Nations Museum at Onchiota, New York, and students of the Indian Way School at Akwesasne. This is not a book on crafts, but of historical documentation which every Iroquois and every American should utilize so that bargains can be kept. \$1.50.

Costume of the Iroquois

Men's and women's ceremonial clothing. 27 pages, \$1.25.

Visit the Six Nations Museum at Onchiota, N.Y. (near Saranac Lake) this summer.

THREE BOOKS FROM AKWESASNE NOTES: The Law, The History, and The Prophecy

The Great Law of Peace:

This is the Constitution of the Iroquois Confederacy, portions of which were adopted in the U.S. Constitution. It is a statement of morals, spiritual belief, and government which is 1,000 years old — and which is still in use today. 84 pp., paperbound. \$1.00. Illus.

The Migration of the Iroquois:

Pictographic writing, and text in English with some handsome drawings of Iroquois life, detailing a chapter of North American history — how the Iroquois migrated from the southwest to the northeast. 50 cents. Illus.

A Message to All People: The Hopi Prophecy:

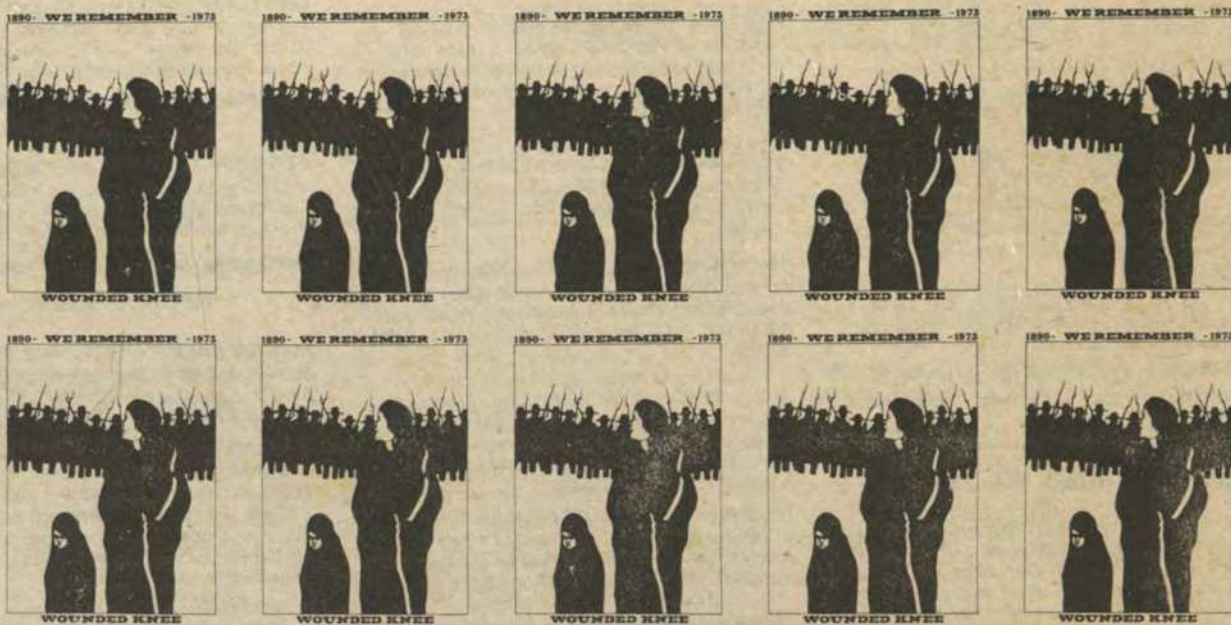
A spiritual message as old and timeless as the land. Illustrated. A warning — with hope — of interest to all human beings. \$1.00.

Declaration of Barbados:

This pamphlet should be discussed thoroughly by all students of anthropology — college and campus bookstores should let the anthro department know it is in your stock. Church officials — and all concerned people — will find it of interest too. It discusses the role of non-native scholars and missionaries with the native people. 25 cents.

BIA: I'm Not Your Indian Any More —

the story of the Trail of Broken Treaties group which occupied the Bureau of Indian Affairs headquarters in Washington D.C. in 1972. The book also contains the Twenty Point position paper presented to the White House which would revolutionize Indian/U.S. relationships — plus the White House reply, and a rebuttal to the White House. This dialogue will be heard throughout the 1970s, and needs to be understood — and acted upon — by every American and every native person. 8 1/2 x 11, 96 pp., paperback.



This is Our Land: 1974 Calendar:

There are still some calendars left — and even though the year is half gone, the 12 illustrations are poster-sized and are suitable for posting in homes and classrooms. If you don't have one yet, you'll be sorry when they are no longer available, for they will not be reprinted. Just \$2 plus 25 cents for a tube, if you wish.

WOUNDED KNEE STAMPS

The U.S. isn't likely to issue a stamp commemorating the 1973 occupation of Wounded Knee, so we did. Printed on paper which sticks when moistened, these stamps will raise consciousness affixed to letters, or posted in handy public locations. They come 36 to a sheet and are available for \$2.00 — of which \$1 is a donation to the Wounded Knee Legal Defense/Offense Fund. Groups wishing to raise funds for Wounded Knee may find the sale of these stamps a useful method.

Posters Available From AKWESASNE NOTES



South America



Chief Joseph



Wounded Knee



Longhouse to Kiva



Zuni Governor



Sitting Bull



Three Sisters



Grandma Hunter



Poundmaker



Shackled Native



Family Portrait



Three Horsemen



Fire Carrier



La Raza



Dan Katchongva



Our Ideas

17 Signs of the Times (not pictured, from last issue) 18 Statue of Liberty (this issue)

In each issue of AKWESASNE NOTES, there is a centerfold poster. The entire series is available as separate posters, printed on heavy poster paper of various colors. They are 17 x 22 inches. Any combination of posters is available at 3 for \$1, or 50 cents each. (Please add an extra 25 cents for a cardboard mailing tube if you want them shipped that way.) The posters are also excellent fund-raising items for schools, groups, fairs, powwows — 100 can be shipped, an assortment, for \$25. The low cost also makes it possible for a school or church to have a poster in every classroom. Order from: AKWESASNE NOTES, Mohawk Nation, via Roosevelttown, N.Y. 13683.

RESOURCES

books of interest

THREE BY OHIYESA

(Charles Alexander Eastman, or Ohiyesa, was a Santee Sioux who was raised in the old ways, and then became educated in European ways. These three books of Dakota life were written about 1900-1915, covering an era 50 years earlier.)

INDIAN BOYHOOD. Ohiyesa's first 15 years, recounting religious practice, medicine work, and training for the hunt. 289 pages, paperback, \$2.00.

THE SOUL OF THE INDIAN. The Dakota religious beliefs and way of life. 169 pages, paperback, \$3.50.

OLD INDIAN DAYS. A fictionalized account of daily life. 275 pages, paperback, \$3.50.

RACISM AND ITS SOURCES

THE LOVE OF POSSESSION IS A DISEASE WITH THEM by Tom Hayden. The horrible reality of the Vietnam War done to help discern the link between what white Americans are doing in Indochina and what they did to the 19th century American native people. \$1.95.

THE ONLY GOOD INDIAN: THE HOLLYWOOD GOSPEL by Ralph and Natasha Friar. A highly entertaining and revealing study of how the popular media, particularly film, has contributed to America's racism. \$12.50 hardcover. 330 pages, illustrated.

TO SERVE THE DEVIL, Volume 1: A Documentary Analysis of America's Racial History and Why it Has Been Kept Hidden, by Paul Jacobs and Saul Landau. A devastating tracing of the impact of racism in America's policies and power. 360 pages, \$2.45.

FOUR BOOKS ON CALIFORNIA

CALIFORNIA INDIANS: A Source Book. Compiled by Heizer and Whipple as a survey by anthros of culture, but fit for a general reader. \$5.95, 610 pages.

THE POMO INDIANS OF CALIFORNIA & THEIR NEIGHBORS by Vinson Brown and Douglas Andrews, with full-color map and 70 illustrations. The material and social culture and history. 64 pages, paperback \$2.50.

NATIVE AMERICANS OF CALIFORNIA AND NEVADA: A Handbook by Jack D. Forbes. A realistic account of white-Indian relations and history. 197 pages, paperback, \$3.95.

ALMOST ANCESTORS: The First Californians, by Theodora Kroeber and Robert Heizer. A large format book of beautiful photographs, quotations, and a supportive text. 167 pages, paperback, \$3.95.

THREE TALES AND TWO ACCOUNTS FROM THE INUIT OF THE NORTH

TALES FROM THE IGLOO, edited and translated by Maurice Metayer, illustrated by Agnes Nanogak. Legends answering the mysteries of the northern world. \$4.95 hardcover.

BOOK OF THE ESKIMOS by Peter Freuchen, an explorer whose own philosophy salts that of his hosts. An earthy, jolly book of a people and a man. 95 cents.

THE NETSILIK ESKIMO by Asen Balikci. An anthropological view of the People of the Seal. \$3.95.

STORY OF COMOCK THE ESKIMO as told to Robert Flaherty and edited by Edmund Carpenter. A story of human fortitude with sensitive sketches by Inuit artists. Spell binding for children. 95 cents. paper 128pp

HARPOON OF THE HUNTER by Markoosie. A first Inuit novel of the struggle for manhood and survival. 81 pages. \$4.95 hardcover only. Good for younger readers.

History

OUR RED BROTHERS and the Peace Policy of President Ulysses S. Grant by Lawrie Tatum. Includes history of Kiowa and Comanches. \$2.25.

THE WESTERN AMERICAN INDIAN: Case Studies in Tribal History, edited by Richard Ellis. Examines impact of white settlement and government policy on western peoples from the mid-1850s. \$2.95.

PENOBSCOT MAN: The Life History of a Forest Tribe in Maine by Frank Speck. 1940 foundation for understanding. 375 pages, hardcover only, \$12.50.

THE RED MAN IN THE NEW WORLD DRAMA by Jennings C. Wise, introduction by Vine Deloria Jr. 401 p., \$8.95. The great classic of the political and legal history of native people within the U.S.

RED MAN RESERVATIONS by Clark Wissler (1938). 295p., paperback \$1.95. The story of the early reservations and the tragedies of forced assimilation.

APACHE CHRONICLE: The Story of the People by John Upton Terrell. Begins with the first white and ends with the surrender of Geronimo, year by year. Hardcover only, 400 pages, \$12.50.

TRUTH OF A HOPI: Stories relating to the Origin, Myths, and Clan Histories of the Hopi by Edmund Nequatewa. 137 pp. \$4.95. Republished in a new edition from the 1936 original.

AMERICAN INDIAN LIFE edited by Elsie Parsons. Published in 1922, containing 27 stories of native life — as written by some of the better anthropologists. 408 pages, paper. \$2.95.

THE CANADIAN INDIAN: The Illustrated History of the Great Tribes of Canada by Fraser Symington. 272 p., hardcover, \$20.00. Beautifully illustrated, relatively authentic. A valuable resource book.

TRAPPING IS MY LIFE by John Tetso. 116 p., hardcover, \$4.95. A Slavey Indian whose articles for *The Catholic Voice* have been compiled in book form. About bush living.

AMERICAN EPIC: The Story of the American Indian, by Alice Marriott & Carol Rachlin. A survey of native confrontation with white culture. Paperback, 200 pages, 95 cents

SWEET MEDICINE: The Continuing Role of the Sacred Arrows, the Sun Dance, and the Sacred Buffalo Hat in Northern Cheyenne History. In two volumes, boxed. \$25.00. By Peter J. Powell. 1028 pages, heavily illustrated.

THIS COUNTRY WAS OURS: A Documentary History of the American Indian by Virgil J. Vogel. A carefully-researched collection of startling documents of past years. The other side of the story. 470 pages, hardcover only. \$12.95. A recommended reference.

THE SACRED HERBS

THE TEACHINGS OF DON JUAN: A YAQUI WAY OF KNOWLEDGE by Carlos Castaneda. The first volume of the trilogy on a man's experience with hallucinatory drugs of the Southwest, with a medicine guide. \$1.25.

A SEPARATE REALITY: Further Conversations with Don Juan by Carlos Castaneda. Socratic dialogue a la Yaqui. Philosophy of a new reality. \$1.25.

JOURNEY TO IXTLAN: The Lessons of Don Juan, by Carlos Castaneda. A third volume devoted to understanding the Yaqui way of knowledge. \$2.95.

THE PEYOTE CULT by Weston LaBarre. A supportive but anthropological study of group use of psychedelic drug for spiritual purposes. \$2.45.

Fiction

FIG TREE JOHN by Edwin Corle. An embittered Apache's struggle to raise an Apache son in the face of "civilization." A tense, exciting, brilliant character study. \$2.45.

I HEARD THE OWL CALL MY NAME by Margaret Craven. Just done for television as a CBS special. The novel of a priest and a village, and what happened to each. \$4.95 hardcover only.

SEVEN ARROWS by Hyemeyohsts Storm. A controversial novel of the Cheyenne which has provoked great affection — or disgust. Now in paperback, illustrated, color plates, \$4.95.

WHEN THE LEGENDS DIE by Hal Borland. The book is better than the movie. A young native boy, torn between two worlds, finds his ancestral ways, alone. 75 cents.

RABBIT BOSS by Thomas Sanchez. An impassioned chronicle spanning a century in the life and death of the Washoes. 530 pages, \$1.95 paperback, \$7.95 in hardcover.

SOUL CATCHER by Frank Herbert. Another youth, caught between two worlds, decides upon retribution for his people in a spellbinding novel you won't put down. \$1.25.

STAY AWAY, JOE by Dan Cushman. Good humor about a fast-dealing free-wheeling fork-tongued hero of the new west. Caught between two worlds, this guy chooses to be Mod. \$1.95.

THE MAN WHO KILLED THE DEER by Frank Waters. A novel of pueblo life, poetically written. Martiniano, a man struggling to become a man. \$2.50.

N'TSUK, a novel by Yves Thériault, translated by Gwendolyn Moore. A fictionalized autobiography of a Montagnais woman, who compares her life with urban people. \$2.25.

ASHINI, also by Yves Thériault. The fictionalized autobiography of a Montagnais hunter, concerning his relations with nature, his own people, and the white world. \$2.50.

THE DAY THE SUN DIED by Dale Van Every. The trail from the Paiute Messiah, to the Ghost Dance, and to Wounded Knee, 1890. A historical novel. \$1.25.

CHEYENNE AUTUMN by Mari Sandoz. A novel based on the removal — and return of the Cheyenne in 1878. An American epic of an incredible frozen flight. \$1.25.

ETHNOBOTANY OF WESTERN WASHINGTON by Erna Gunther. Examines the traditional uses of native vegetation by 18 tribes of western Washington. 62p., \$2.50.

Art and Music

INDIAN BASKET WEAVING: The Navajo School of Indian Basketry. 104 p., paper. \$1.75. Explains methods of coiled weaving, getting into basic techniques.

PICTURE WRITING OF THE AMERICAN INDIANS by Garrick Mallery. 822 pages, 1290 pictures and 54 plates. paperback \$10.00. Early 1899 report of Bureau of Ethnology covers rock writing, picture writing, winter counts, tattoo marks, significance of colors "and much more."

PRIMITIVE ART by Franz Boas. 378 p., paperback \$3.00. Textiles, ceramics, wood-carving, basketry, metalwork, patterns, technology, symbols and styles. All areas of the world, but very full on Northwest Coast of North America. 350 illustrations.

DESIGNS FROM PRE-COLUMBIAN MEXICO by Jorge Enciso. 300 designs, 105 p., paper. \$1.50. Treasury of novel design.

DECORATIVE ART OF THE SOUTHWEST INDIANS by Dorothy Smith Sides. 295 illus., 101 pages, paper. \$1.50. Pueblo pottery, Hopi kachina decorations, Zuni mask motifs, Navaho blankets, Apache baskets, Mohave beadwork.

DESIGN MOTIFS OF ANCIENT MEXICO by Jorge Enciso. 750 vigorous ancient pottery stamps. 153 p., paper. \$2.50.

A BIBLIOGRAPHY OF NORTH AMERICAN FOLKLORE AND FOLKSONG. Volume II: The American Indians North of Mexico, including the Eskimos, by Charles Hayward. 551 p., hardcover, \$12.50. An indispensable reference work on all books, articles, and records on all aspects of American Indian folklore.

THE INDIANS' BOOK recorded and edited by Natalie Curtis. 584 p., paperback, \$4.50. A standard work in ethnomusicology with 149 songs in full notation, with much other material on native culture.

INDIAN SIGN LANGUAGE by William Tompkins. 290 pictographs of Sioux and Ojibwa, and 525 signs for non-verbal communication. paperback \$1.25.

THE PUEBLO POTTER: A Study of Creative Imagination in Primitive Art. 160 p., 38 color plates and hundreds of two-color illustrations. paperback \$3.00. How the personal element is expressed in a time-honored structure of symbolism.

INDIANS OF PUGET SOUND by Hermann Haerberlin and Erna Gunther. 84 p., \$1.50., paperback. Snohomish, Snuqualmi, and Nisqually peoples, including descriptions of villages, houses, economic life, crafts, dress, and social and religious life.

LITERATURE OF THE AMERICAN INDIAN — by Thomas E. Sanders & Walter Peek. 552 p., hardcover only, \$10.95. An excellent collection of tales, orations, poetry, articles, and proclamations. Good for high school & college texts as well as good reading.

THE AMERICAN INDIAN: Selected Readings from Mankind Magazine edited by Raymond Friday Locke. A better-than-usual reader, primarily from native viewpoints. 250 pages, paperback, \$1.75.

natural history library

INDIANS OF THE UNITED STATES by Clark Wissler. Not exactly the native viewpoint, but a useful survey of the Peoples. 380 pages, paperback, \$2.50.

INDIANS OF THE PLAINS by Robert Lowie. Blackfoot, Cheyenne, Dakota, Crow, Kiowa. 258 pages, paperback \$2.50.

THE NAVAHO by Clyde Kluckhohn and Dorothea Leighton. History, current situation and religious beliefs and social structure. 355 pages, paperback, \$2.50.

INDIANS OF THE NORTHWEST COAST by Philip Drucker. Marriage customs, economy, rituals, art, war, religion. 70 drawings & photos. 224 pp., paperback, \$2.50.

THE WOODLAND INDIANS of the Western Great Lakes by Robert & Pat Rizenhalter. 175 pages, with photographs. paper, \$1.95.

belly-laugh

SHOVE IT BUSTER: We'd Rather Have Our Land. A Candid Look at Modern Indian History in the Making by the American Indian Press Association. Photos & hilarious captions. Paperbound, \$1.50.

EVERYTHING YOU EVER WANTED TO ASK ABOUT INDIANS But Were Afraid to Find Out! by Don Bibeau, Carl Gawboy, and Naomi Lyons. Cartoons of contemporary native life, that only Indians could get away with drawing. \$1.25.

poetry

THE MAGIC WORLD, edited by William Brandon. paperback, \$2.50. Imaginative translations, with an excellent introduction on the nature of native poetry. Highly recommended.

SHAKING THE PUMPKIN, edited by Jerome Rothenberg. 474p. paperback. \$4.50. Traditional poetry of the Indian North Americas, translated with an effort to preserve the original qualities. Highly recommended.

WHISPERING WIND: POETRY BY YOUNG AMERICAN INDIANS. Edited by Terry Allen, introduction by Mae Durham. 124p. paperback, \$1.95. Featuring work by such poets as Alonzo Lopez, Calvin O'John, Phil George and Agnes Pratt.

FROM THE BELLY OF THE SHARK, edited by Walter Lowenfels. Poems by Chicanos, Eskimos, Hawaiians, Indians, Puerto Ricans and related poems by others. \$1.95, 350 p.

THE WINGED SERPENT: An Anthology of American Indian Prose and Poetry, edited with an introduction by Margot Astrov. A good survey of traditional poetry, not too imaginatively presented. 300 p. 95 cents.

blue cloud quarterly

A Benedictine abbey in South Dakota puts out some of the nicest pamphlets, suitable for pleasant reading at home or in schools. Each is beautifully designed, about 12 pages in length. 25 cents each. A STORY FROM CHARLIE as told to Sister Susan. In calligraphy, from Turtle Mountain.

THE CREATOR HAS MADE THE WORLD — COME AND SEE IT. A collection of short essays & prayers.

BUFFY SAINTE-MARIE — songs and photos of the Indian situation.

GERONIMO: a graphic poem.

SMALL EYES LAST HUNT: a fine short story to read to grandchildren — or to grandparents.

TWO LEGENDS OF THE SIOUX, sensitively presented.

All six pamphlets are \$1.25 for the set.



packet of papers

A PACKET OF NATIVE NEWSPAPERS

This packet contains recent issues of ten native newspapers all over North America. It makes an easy sampling available for libraries — maybe some you'll want to receive regularly. The packet is just \$2 postpaid.

BOOKS IN QUANTITY?

Quantities of all titles sold by NOTES are available at discounts of 20% for books by other publishers, and 40% for books published by AKWESASNE NOTES. It's a chance for classrooms, church study groups, or others wanting to use one or more titles.

Also, an INDIAN BOOKSHELF of a variety of titles for resale in bookstores, healthfood outlets, trading posts, or special events is available. A sampler of \$125-worth of books at retail prices is available for \$100, with the privilege of return of unsold copies.

ON THE ROAD

People associated with the newspaper, **AKWESASNE NOTES**, carry out an extensive travel schedule each year. In addition to news-gathering work, the group meets with reservation and urban native groups to promote strength in the ways of the Creation.

In addition, it meets with college, church, and community groups to develop support and understanding, and

to raise funds for travel costs, publishing activities and furthering native causes.

Persons who wish to meet with the group when it is in their area can write for the group's itinerary.

The group is also willing to meet with interested groups to share its displays, crafts, photo exhibits, film festival, speakers, spiritual leaders, and requests to do this will be fitted into the travel schedule wherever possible.



However, travel is costly for a group of 12 or so people, and raising funds for publishing activities is a primary purpose of travel. Thus the work can be furthered best by having people locate colleges, community organizations, and churches willing and able to donate an amount equivalent to that paid to similar cultural groups.

Groups wishing to arrange 1974-75 bookings for the **AKWESASNE NOTES** group may contact it at Mohawk Nation, via Roosevelttown, N.Y. 13683. Please give your telephone number, and we will phone you at a convenient time.

MICROFILM

AKWESASNE NOTES is available on microfilm and microfiche from a number of sources:

Bell & Howell Co., Underground Press Package, Microphoto Division, Old Mansfield Road, Wooster, Ohio 44691
Kraus-Thomson Organization Ltd., Route 100, Milwood, N.Y. 10546

University Microfilms
Ann Arbor, Michigan 48105

Microfilm Corporation of America
21 Harristown Road, Glen Rock, New Jersey 07452.

EXTRACOPIES

EXTRA COPIES of this issue are available for single copy orders, or for bulk distribution and resale. They can be sent out by regular mail prepaid, or by bus collect, for prompt delivery.

The paper is useful to raise consciousness about native events and situations, and is also good for fund-raising. On consignment, the paper is 35 cents each — you pay after they have been sold. Payment in advance is 25 cents each. For \$5, then, a person could give 20 copies to friends or a social studies class. For \$25, a reservation group could see that 100 homes each received a copy. Churches with a genuine concern for Indian events could order copies for distribution within the parish.

By whatever means, we urge each person reading this to consider ways by which this message can reach the most possible people.

BACK ISSUES

BACK ISSUES are available for some editions for 50 cents each. There are eight still in print, so all available back issues would be \$4.

Volume One (1969) is out of print, and available only on microfilm. There were ten issues that year.

Volume Two (1970) had seven issues. All are now out of print, available only on microfilm.

Volume Three (1971) had nine issues. All are now out of print, available only on microfilm.

Volume Four (1972) had six issues. Four are still in print — numbers 3, 4, 5 and 6.

Volume Five (1973) had six issues.

Volume Six (1974) has had two issues, including this one. Copies of both are available.



We have a printer's over-run on a few recent back issues of **NOTES**, and we'd like to send a bundle of 30 for just \$3. Good for distribution at church, in class, to friends. If you really can use them and don't have the \$3, send what you can and we'll do what we can. Ask for "printer's over-run" when you write so we'll know what you are asking for. This offer is good only until our supply has been exhausted.

We give first preference to people from Akwesasne, then to native people — for that is what the paper is all about. When we are in proper balance and harmony, the assistance of non-native people is also valued. Also, our ability to absorb new people is limited — one or two new volunteers a month is best, it seems, for good organic growth. Anyhow — this confused message really says we need lots of help, that we don't have much to offer, and that people who might be great in more conventional circumstances won't necessarily work well socially/emotionally/economically here. How's that for an invitation.

HOW TO ORDER

Orders are sent postpaid.

We prefer to have payment with your order. Ours is a small operation, offered primarily as a service — we do not have resources to extend credit and make collections. Institutions and others who are unable to make payment in advance will be extended credit, although we ask that payment be hurried along after the order has been received.

We have had some difficulties in the past with filling orders promptly, partly because of heavy workload, harassment, and inexperience. We believe these problems have been cleared up. Most orders are shipped on the same day they are received, or if we are out of stock, on the same day the new stock arrives. A refund will be made 30 days after receipt of your order for all books not shipped, giving you the option of re-ordering, substituting, or cancelling.

Please share with us your suggestions, criticisms, or complaints about the service you receive, or ways to better this project. While few books on this list are perfect, it is our general feeling that these are books that people should read. We do not list books that are considered racist, which distort history to satisfy American historians, or which are inaccurate. Let us know if there are books on this list which should not be there — and suggest new additions which should be made.

BOOKS TO PRISONERS, MENTAL HOSPITAL PATIENTS, JUVENILE HOMES, etc. are sent without charge upon request, since many of our people do not have funds to buy relevant reading material. If you can, add a dollar or two to your book order. We will match it with a like amount of our own and send a book to a brother or sister who needs to be remembered.

materials for resale

Most of the items listed in this paper can also be purchased in quantities at a discount for resale.

Indian organizations, church groups, and individuals selling at powwows might want to add to their income — and at the same time, help distribute more educational materials.

Some groups might want to have a series of sales: a calendar sale in December, a book sale in January, a crafts sale in February, Indian smoking blends in March, a poster sale in April, and a street or door-to-door sale of **NOTES** in May, for instance.

All items can be ordered on consignment: unsold material can be returned for full credit (if in good condition.) Discounts vary: write for more information.



rush orders: Please try to think ahead so that rush orders won't be necessary. But wherever possible, we will help out by shipping special handling, via air, or by bus — at your expense. We prefer to have orders by mail, but if necessary, you can telephone: (518) 358-4697.

the reason for all this: Sales of books and other materials helps us to survive, to keep publishing **AKWESASNE NOTES**. We know the more books that get around, too, the more knowledge and understanding there will be — and maybe, the more peace there will be. We try to make sure everyone is well taken care of — but this is not a business for individual profit, and sometimes we might not be as "businesslike" as your friendly downtown merchant. We hope you will understand.

ORDER FORM

(feel free to write your order in a letter, if you wish)

AKWESASNE NOTES
Mohawk Nation
via Roosevelttown, N.Y. 13683

Date: _____

Please send me the following:

Quantity	Item	Price
_____	Calendar @ \$2.25	_____
_____	Posters @ 3/\$1 numbers: _____	_____
_____	Akwesasne Notes newspaper: donation: _____	_____
_____	Books, Albums, Tapes, Smoking Blends, etc: _____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Send these postpaid to:

Name: _____

Address: _____

City and state: _____ Zip: _____

I enclose check or money order for \$_____ (or purchase order)

(All orders are filled promptly on receipt — you will be advised of any unavoidable delays. We appreciate your order — and we hope you find good use for your materials. Please let us know if anything you receive is not satisfactory — return of anything unsatisfactory for full refund is permitted. Your comments and suggestions are always welcomed.)

I'm Tired of Promises

BROTHERS & SISTERS: An Indian convict. What is he? or she? To the courts they are just another case. But what the hell are they to their own people?

Is the Indian way drinking in bars, backstabbing, leaving the kids, complaining, but not willing to get off your butt? Joining a struggle to get on an ego trip?

[So many of the Indian "leaders" and "celebrities"] mean the further fall of the Indian Nation because they are users of the people. Not really caring about the Old Ways, and not sharing with one another.

Hey! I'm tired of promises from you, who come promising to help, but come to use the brothers and sisters in here. I'm tired of seeing brothers and sisters becoming more bitter and hateful in here.

A Redman is not supposed to be doubtful of his brothers and sisters, but I, for one, will be until I see some action. Either help your people on/off reservations, in prisons and hospitals, or leave them alone. And if you're going to pick up a bottle, drop a pill, put a needle in your arm, then shut up and quit crying. There's an old woman and an old man that needs help. A young girl and a young boy are crying for help.

I want to thank AKWESASNE NOTES for the help they've given to the many of us in here, and to those who cannot offer any assistance, but who offer their prayers. What you have done and still do helps us to keep going, and to never give up. May the Creator continue to guide you and bring your lodges love, peace, beauty, and plenty.

Nexoku Ahme Franco
POBox A 57640 (San Quentin)
Tamal, California 94964



Our Ancestors Need No Defense

NOTES: I would like to answer Steven Moll's letter in the last issue to Gayle High Pine. I have heard his remarks many times in many variations to the point of exasperation.

Steve Moll identifies himself as a white man which I will assume in the absence of specific proof. To me, this self-categorization is fatal to his claim of understanding. I am Oneida, not a color. I doubt that Gayle High Pine's tribe is a color. I feel that those who identify themselves as a color are not and do not understand human beings.

He acknowledges rage. It makes me sick to hear a "whiteman" patronizingly chastise our anger. Even a cursory reading of American/European history would enrage any human being. Of course, some whites don't act white. Individually, they can be acceptable, but their collective heart is bad. Moll says they grope — I say they grasp and squeeze the life from all they touch. I'm angry when I see or hear a "whiteman" talking about love and understanding to me while his brothers steal and destroy, with his knowledge, my brothers and sisters' lands, culture, and lives. You don't understand our rage, Moll, and your own is a posture.

By his protestations, Moll has shown himself a typical white racist, no different than the missionaries or anthropologists who can explain everything and understand nothing.

Our ancestors need no defense, yet Moll must defend his against the truth. I pray for Steven Moll's children to become human beings where he and his ancestors have failed.

Jerry Hill
Oneida Nation

Humanity: Alive, Well & Growing

NOTES: My grateful appreciation for providing a journal where the concept Humanity is alive and growing again. It would have been interesting to see to what heights native cultures would have taken this idea had they been left to work it out on their own. Unfortunately, go-west-young-man Western goal-oriented achiever-competitor evolved and migrated to this continent...

The idea that men could live together in peace and harmony had a life of its own beyond the lives of those native people who died defending their precious system of how to get along on this earth, one that was working and evolving. After 500 years of unthinkable oppression and extermination, the ideas of our red brothers are coming into view again after a desolate winter hibernation nourished and encouraged by AKWESASNE NOTES — thank you!

Phil McKinney
San Francisco, California

LETTERS

George Mitchell: Credit is Due

NOTES: Enjoy your newspaper, but I feel you are grossly misinformed in regard to the formation of the American Indian Movement. In several issues, you did hint that it was formed by Clyde Bellecourt and Dennis Banks. This is really untrue.

To set your record straight, a Mr. George Mitchell, full-blooded Chippewa from the White Earth Reservation, is the original founder and a longtime advocate and I believe one of the first so-called "militants." Mr. Mitchell is a real traditionalist who speaks his language fluently. He practices and professes to belong to his own tribe's religion.

All in all, please give credit where credit is due. And try to keep your paper going.

Josie Chernan
Washington, D.C.

Indian National Bank Politics

NOTES: In the past several months, I have been asked quite often about the new "Indian Bank." I would like to take this opportunity to publicly expound upon the American Indian National Bank.

At present, the American Indian National Bank appears to have no formal policy on loans to tribes or individual tribal members with respect to collateral of any kind.

In respect to the services the bank offers, the service charges on both business checking accounts and personnel checking accounts can probably be bettered in your local area. Some banks offer free checks and no service charge with no minimum balance, which is certainly not the case with the Indian Bank.

Another service offered by the American Indian National Bank is the issuance of negotiable certificates of deposit (CDs). CDs are receipts for time deposits and offer yields that vary according to the length of time involved and the size and reputation of the issuing bank. Although the interest rates offered by the American Indian National Bank are fairly competitive, they can be bettered. According to an American Indian National Bank source, they offer only simple interest whereas other banks will compound the interest daily and thus allow a larger rate.

Another consideration with respect to CDs which an individual, a tribe, or a tribal enterprise can purchase in any local bank is, why purchase the same things from a bank 2,000 miles away when most of your banking business is done in the local community and the local bank can provide the same service at the same rate, if not better?

CDs are by no means the best alternative for use of your temporary idle cash. It should be remembered that there have been cases where a few of the smaller banks have had the unfortunate experience of being unable to redeem the CDs when they matured.

Not to be overlooked in the services offered by the American Indian National Bank are the regular savings accounts, currently paying 5% simple interest. This interest rate can again be bettered in local banks throughout the country.

At this point in time, there is also a question in my mind as to whether or not the staff of the American Indian National Bank has the experience needed to manage the asset level contemplated for such an establishment. The question arises specifically in light of the tentative scheduled administration by the American Indian National Bank of all Tribal Trust Funds. It is my feeling that no single institution with the political affiliations such as are exhibited by the American Indian National Bank should have this authority.

Gregory W. Frazier
G&E Enterprises
Albuquerque, New Mexico



Part of the Great Spirit's Plan

BROTHERS AND SISTERS: I'm French Canadian, Sioux, and Norwegian, and I'd just like to say that I'm glad and proud to be part of the Great Spirit's plan.

Your NOTES are like the soothing sound of a mountain stream to a brave's ears — teaching, guiding, giving strength, and counsel to all concerned. My prayers to you.

Dave Maustad
Morris, Minnesota

Yea for Our Team

NOTES: Cheers for our Indian forerunners' unity with nature and wholistic living. We've been working for three decades to influence "modern" thinking in this direction, via attention to and solving universal problems.

Mildred Loomis
School of Living
Box 129, Route 1
Freeland, Maryland 21053

(The School of Living publishes GREEN REVOLUTION, available at the above address — send a stamped envelope for a catalogue. We enjoy receiving their publication as an exchange. The Editors.)



Thanks from San Carlos

NOTES BROTHERS: This is to thank you for your work in getting the word out about our Tribe's plight brought upon us by a few power-hungry tribal politicians and an assortment of greedy administrators of our affairs. We are happy to know that your staff was understanding and courageous enough to present a partial picture of what is really happening here in San Carlos.

Much is yet to be uncovered, but we know of no one "law enforcement" officer or agency who has guts enough to find out the whole truth about the real crooks, instead of jumping around over uncorrupt AIM activists. We know, for instance, that in the process of "covering up" by San Carlos tribal administrators, many of them have had to lie, cheat, steal, and contemptuously violated tribal, constitutional, and civil rights of outspoken tribal members and their close relatives. We know also that many other federal and tribal laws and regulations were broken besides those documented by the Interior auditors, much of it involving obstruction of justice.

As you might have guessed, we have been exceedingly patient in waiting for the Truth, in view of the fact that many of us for years were deceived with political innuendos, outright distortions of facts, inane and illegal administrative practices, outrageous election procedures, and infantile explanations for the disgusting financial situation presently confronting our tribe. It may interest you to know that many of our indigent, uneducated tribal members were wrongfully accused by men of knowledge in high executive positions for their seeming apathy. Trusting voter-members were even blamed for having elected accused members of the Tribal Administration into office. Not only did these "knowledgeable" men of influence ignore the many injustices and long-range effects heaped upon our tribe as a result of criminal misuse of tribal monies by greedy tribal politicians, but these critics portrayed the San Carlos problem as an "intra-tribal dispute" and justified their contention by saying that such conduct was normal and proper by today's political standards and ethics. Some even discounted the embezzlement allegations by abstractly theorizing that federal judicial authority should not be sought and imposed since certain precedents would be set which would be a threat to all tribal sovereignties.

We will continue to need help as long as justice and contemporary rules of social order are disregarded by federal and tribal law enforcement systems, so please continue your kind support.

Norman Duncan
Apache Defense Committee
San Carlos, Arizona

A Word of Advice from Friends

NOTES: Teach your children well, and follow those that are wise in the ways of your people, not in the ways of the white man's world. Listen to, and learn from, those who will help all, not just themselves.

Peace and the power you will need to rid your nations of Dick Wilsons.

Anthony Gulisano & Nancy DuBois
Kingston, New York

A Better Day is on the Way

NOTES: The Early Winter edition of NOTES was really fantastic and beautiful. Believe that I can also speak for my brothers here at the Oregon State Penitentiary of the Lakota-Oyate-Ki Club. The NOTES gives us great encouragement that maybe there is a better day coming for all us Indian people in the nation.

It gives us much strength and insight into our problems, which gives us a chance to see that we are needed even as convicts. Also that there is a world and people where we belong instead of chasing and escaping into oblivion of heroin, alcohol, and other means that seem to be a grave and devastating problem to our nation.

I have seen warriors shake off their shackles of personal hangups and the cycle of drugs, to become proud and to make a stand. These people become leaders in the battle that faces us as a native nation. It is through people such as you and many more that are helping us to realize our Indian heritage to the extent that we try to arrest our problems, and from there to educate ourselves of the oppression and rip-off of our beautiful mother earth so that we may also join the Battle of Truth.

Always seek truth so that our Creator may see all our brothers and sisters walk in beauty.

Kendall Waptshtakin Arthur
2605 State Street
Salem, Oregon 97310

Keep Down the Radicals:

NOTES: Enjoyed last issue greatly, especially the letters and poetry. Keep up the good work but keep down the radicals. Too many will spoil a good thing. The world today stands witness to that. For the monster you speak of is not just in America — it has run rampant over the whole world and is devouring every last pit of peace and goodness that exists. Praise the Lord and pray for the day when he will smite the monster from the face of the earth and man shall know war no more and peace, love, and brotherhood among all men, be they red, white, black, brown, or yellow shall reign supreme under His guidance.

Alan Fetrow
York, Pennsylvania

Just Plain North American Indian

NOTES: I'm Apache, but my name is from the Mexican origin since my grandparents lived there. Mom was born in Zongolica, Mexico and worked for Americans and brought me up here in the U.S. where we went to school. Didn't graduate but almost.

I got away for 16 years with fraudulent papers but was then turned in and am now holed up in a slum under another name. If anyone knows of any relatives of mine who can prove I'm American Indian and not Mexican Indian let them write to you. I'm afraid of the law. My grandfather was supposed to be Cochise's grandson. If you could help me please.

Francisco Natchez Zonge
U.S.A.



Policy on Editing Letters

NOTES: I would like to mention my anger at having my letter to NOTES concerning the sexism of Russell Means and Carter Camp in their jail letters edited. NOTES has not stated your editing policy, which increases my anger.

Elizabeth Fry
Spokane, Washington

(Letters which are printed are subject to shortening, if necessary, to eliminate duplication with other letters, or for purposes of space, or to get to the heart of the issue. It is understood that shortening will not change the meaning or intent of the writer. People who insist on having an entire letter written may make that a condition for publication, and that condition will be honored although that could mean the letter would not be published at all. We are glad that people write — and hope they will continue to do so — but we can only publish about 10% of the letters we receive. Editors)

American Imperialism in Canada

NOTES: I would like to know your attitude towards American imperialism in Canada. What should the relationship of the Indian peoples be to the struggles of the peoples of Canada and Quebec for independence? What are the basic political aims and objectives of your group?

Iain Atack
Ottawa, Ontario

(Seems like native people of James Bay are struggling against the imperialism of Quebecers, who are struggling against the imperialism of English-speaking Canadians, who are struggling against economic and cultural imperialism of the United States. Each people, it seems, have to find their own ways of dealing with their oppression, although there can be cooperation in rebuilding a human society in North America. Other readers, however, may wish to suggest answers to the points raised here. The Editors.)



Native Prison Groups, Please Write

BROTHERS AND SISTERS: Greetings to all of you. We the Native Brotherhood wish to share our thoughts, ideas, and aspirations to whoever is interested.

We look forward to expanding our group outside these prison walls by establishing offices and a house where we could help our brothers and sisters in whatever way we can.

We ask now that other Native Prison Groups write to us in the hope of exchanging ideas, opinions, and programs.

In the ways of the creation, we remain with you in the struggle,

Joe Manitoypies
Native Brotherhood of Indian & Metis
POBox 160 (Saskatchewan Penitentiary)
Prince Albert, Saskatchewan

Kurumunuk Has Died

BROTHERS AND SISTERS: The monsoon rains are upon us as the white man celebrates a day [Christmas] that has no meaning for the Aboriginal People who will be huddled in shelters of old iron and boxes. It is raining very hard.

Gurinyee has died. Kurumunuk has died. We have failed them.

Gwalwa Daraniki
POBox 4751
Darwin, N.T., Australia

Recovery From Fatal Apple IIIs

NOTES: After I got into reading NOTES, I realized what an Apple I've been. Now I'm full Indian at heart and proud.

Where can I get information on joining AIM? I'd appreciate it if people in AIM would write to me.

Arlene Pitka
c/o Girls Dorm
Mt. Edgecumbe, Alaska 99835

(The AIM National Office is at 553 Aurora Ave., St. Paul, Minnesota 55103 or phone (612) 227-0651.)

A Thoughtful Apology

NOTES: I am a student at the Orrville Jr. High School in the eighth grade. We have been studying the development of the west from the Indians' point of view. I never really knew how badly the Indians were treated until now.

I myself, being white, would really and sincerely like to apologize to you for the way the white man has treated you.

Amy Gerber
Orrville, Ohio

Stockbridge-Munsee Thanks

NOTES: Our land bill S1230 was passed in the last part of 1972 conveying to us 13,077 acres of submarginal land. We used decals of various types and slogans in our political struggle to achieve our goal. Major support came from the League of Women Voters, the Ford Foundation, and the Lutheran Council of Churches. As credit must be given where credit is due, may I ask (although the time has long since past) that your paper thank these people for their response.

F.J. Bruette Sr., Chairman
Stockbridge-Munsee Land Committee
Milwaukee, Wisconsin

Without Comment

FRIENDS: We have received a copy of your calendar, for which we thank you.

However, we find many inaccuracies in the calendar, and this is probably because it is your first. No doubt you will remedy the inaccuracies and add the missing items.

Among the missing items are these:

The American Indian Historical Society was founded on August 6, 1964, and at the same time, the Indian Historian was founded as its official publication.

The Indian Historian Press was founded on October 6, 1969. Since we have now 18 books published, and 12 more in press and production, it seems a shame to ignore the Press.

I am sure that this was not done willfully or maliciously. Nevertheless, it is an error among other errors, and should be corrected. Therefore, we cannot publicize the calendar either in Wassaja (circulation 82,400) or the Indian Historian (circulation 6,240) or the Weewish Tree (the only ethnic children's magazine in North America, circulation 11,240.)

Good to hear from you.

Rupert Costo, President
American Indian Historical Society
San Francisco, California

Brothers, Be Kind and Humble

NOTES: Respect one another as brothers; be kind and humble with one another.

Do not pay back evil with evil, or cursing with cursing; instead, pay back with a blessing, for a blessing is what the Creator promised to give you when he calls you.

To respect the Creator, we must respect all people, for whoever respects a father respects also his child.

Every child of the Creator is able to defeat the world. Who will harm you if you are eager to do what is good and right? But even if you should suffer for doing what is right, how happy you are!

Fear no man, but have reverence for the Creator in your hearts

Be ready at all times to answer anyone who asks you to explain the hope and desires you have in your heart, but do it with gentleness and respect, and keep your conscience clear.

Open your homes to each other, without complaining. Each one, as a good manager of the Creator's different gifts, must use the special gift he has received from the Creator for the good of others.

Tell the older men to be sober, sensible, and self-controlled, to be sound in their faith, respect and endurance. In the same way, the older women should behave as women who live a holy life: they must not be slanderers or slaves to wine. They must teach what is good, in order to train the younger women.

You yourself — in all things, be an example in good works. Be sincere and serious in your teaching. Use sound words that cannot be criticized, so that your enemies may be put to shame by not having anything bad to say.

Everything is pure to those who are themselves pure, but nothing is pure to those who are defiled and unbelieving, for their minds are defiled. They claim that they know God, but their actions deny it.

Make no covenant with your enemies. You shall not intermarry with them, neither giving your daughters to their sons, nor taking their daughters for your sons, for they would turn your children from following the Creator to serving other gods.

Gelemand
Jackson, Michigan



Hits the Vital, Important Issues

NOTES: I like every issue of NOTES — hits the real important and vital issues and puts the problem where it is — white dominant society.

Very happy to see printed Richard Lundstrom's "Open Letter to a Jesuit Priest". Those things should be said and in public view.

James V. O'Connor, S.J.
Mother Butler Center
Rapid City, South Dakota 57701

(Unfortunately, Richard Lundstrom's employer, the Campion Jesuit High School thought him too outspoken in his identifying institutional racism and did not renew his contract this spring. The Editors, P.S. Lundstrom's two articles, The Open Letter and American Catholic Folklore are now available in an attractive pamphlet available from NOTES for 25 cents. A number of parishes have ordered them in bulk at a 40% discount for dialogue and study.)

Letters to a Mohawk Mascot

NOTES: This is to the young man from Michigan.

Robert, your letter stirs up many deep emotions, with its implications. Perhaps you do not see those implications and do not understand them, but I hope that this letter and others will help you to think more deeply about your attitudes toward people of other cultures. I have no wish to make you feel guilty; rather, I want you to see how the kind of questions you asked in your letter automatically narrows the range of what you might possibly learn from contact with Indians to include insignificant trivia.

Think about it, Robert. Does your dressing up (authentically or not) as an imitation of a Mohawk do anything at all that is positive for the Mohawk nation? Do you think the people who see you dressed up will become any more respectful of the wisdom, the creativity, and the beauty that is in the hearts of the Mohawk people?

You apologize for your lack of knowledge about the Mohawk Nation in your letter, and you say it is because there is so little information available. One of the main reasons there is so little available information is that people like you and me have for so long assumed that the Indians had nothing to offer us except maybe some moccasins and costumes and clever jewelry. The time is long overdue when we recognize that there is much, much more to the Indian way than simply interesting costumes.

Mark Sorensen
Urbana, Illinois

NOTES: [Robert Branyan II] may have the best of intentions in wishing to be a mascot for the Muskegon Mohawks Hockey Club — however, serving as a mascot would do nothing to further the Indian as a group of humans to be respected and accorded proper dignity.

It seems the American tradition is for sports groups to select a symbol which would represent a spirit or idea for which the team fights or derives its name. Usually a pet is chosen — a horse, a bull, eagle, etc. Mascots also do nothing to improve the respect which should be accorded various animals of nature — we scoff at them whereas they are part of that pattern of life we should learn from and at times even strive to imitate.

Portraying the Indian spirit in surroundings which are totally un-Indian is to me the same as dressing for Halloween. I believe it is time to put everything in its proper perspective and realize the dress of no people are meant to be used for sport by another.

Gladys Vohns
International House
New York, New York

NOTES: We are regular readers of NOTES, and enjoy hearing and reading bizarre requests of some of your readers. We frequently give out old-fashioned and genuine belly laughs at what we read in the letters section.

The loudest laugh goes out to Robert G. Branyan II. We have a great deal of contempt for what he represents, but we also feel sorry for him, and wish that the Mysterious One give him no harm. It is hoped he will read and understand and change his ways, for his own sake.

William John Chancellor
Concord, California

NOTES: Re Robert Branyan II and his letter about being a Mohawk Mascot.

If you would like, we will teach you about our customs, our traditions, our beliefs. And the very first lesson is be what you are.

Praying that you may understand, I remain as the Creation made me,

Oochinapees
Traditional Indian Movement

No Prize — Just Give It Back

FRIENDS: In your review of One Hundred Million Acres by Kirke Kickingbird and Karen Ducheneaux, you didn't mention that the book was nominated by the publisher, Macmillan, for the Pulitzer Prize. Vive!

Joan Fueglistter
Hicksville, New York

Native American Defense

SISTERS AND BROTHERS: Native American Defense was organized during the Wounded Knee occupation. Since then, many people have been busted and we have set up an ongoing defense of Native Americans. Perhaps you can mention in your paper that we have opened our office, and that we do need donations of money, office supplies, and people power to help us with our goals.

Roberto Mendoza
Native American Defense, Inc.
3222 22nd St.
San Francisco, California 94110

Dennis Banks for President

NOTES: It must be nice to have great leaders like Russell Means and Dennis Banks when my people get stuck with the likes of George Wallace and Richard Nixon.

Debbie Somers
Faribault, Minnesota

On Rehabilitation

NOTES: [Recently] an Indian inmate of the London Correctional Institution was placed in isolation cell for refusing to cut his hair. The rule, which is in itself dehumanizing, becomes even more so when one learns that he no longer has the right to practice the accepted religion of his people. What has he learned?

It is no longer necessary for him to imagine what his ancestors felt when they saw their country being invaded by the white settlers. It is no longer necessary for him to imagine what his ancestors felt when they saw their country being invaded by the white settlers. It no longer is necessary for him to imagine the ache in the hearts of his people when they were stripped of their way of life and forced to accept that of another.

Now the tears stream down his face, for he has seen the death of his people. But in seeing death, he has also seen life. And the blood of his people flows strong in his veins. And he prays to "Grandfather." . . . And Grandfather hears the cries of his children.

It was not until the middle of the 19th century that the use of prisons became wide spread in this country, and the original purpose of the prisons were to allow the incarcerated individual ample time to reconsider and repent his wrongs. The Holy Bible was a book they were required to keep in their possession and required to read. The word "penitentiary" was derived from the word "penitence", to seek repentance of sin.

But to the individual involved in this particular action, he does not see the actions being against him alone, but rather as a continued war being waged against the entire Indian nation, which most people thought to be over long ago. But through the battles such as the one he now fights, he will become strong. His people will become strong. For the true Indian way of life is the way of Grandfather. And through Grandfather, the Indian Nation will once again live.

Walking Elk 136-712
POBox 69
London, Ohio 43140

Western-type Fiction Wanted

NOTES: I am presently gathering material for an anthology of "western" fiction to be published by San Marcos Press of New Mexico. The work will range from such important writers as Frederick Manfred to younger "experimental" talents such as John Jacob, and will be multi-ethnic, as the West has been.

Material needs to be 15 to 20 typepages, experimental or straight-as-arrows, but whole fictions, stories preferably, no poetry, no "folklore," no parts-of-novels, and as I say, of the past. The work may be original or previously published.

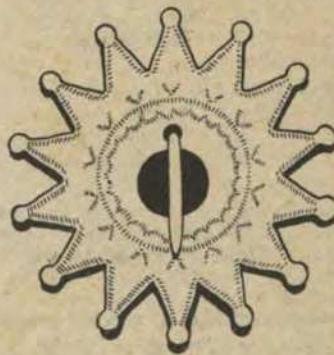
I'll be grateful for any boost — and need I add that AKWESASNE NOTES remains the most valuable single tool on the native scene: an astonishing job of work.

Gary Elder
22 Ardith Lane
Alamo, California 94507

Bertrand Russell Tribunal

NOTES: I mailed the section on South America printed in the Early Autumn issue to the General Secretary of the Second Bertrand Russell Tribunal, this time investigating repression, U.S. imperialism, and genocide of the native peoples, especially in Brazil and Chile. Their address: La Segreteria Generale, Tribunal Russell II, via della Dogana 5, 00186 Roma, Italia.

Joyce Kasinsky
New York, N.Y.



No Way to Prevent Encroachment

NOTES: I would like to comment on Laurie Hart's article on the Institute of Summer Linguistics (Early Spring issue). We visited their jungle base in Ecuador for bird watching purposes in 1972. In all fairness, the other side of the story should also be known.

There seems to be no way to prevent the oil industry from encroaching on the jungle as long as the South American governments want the American dollars that they get from every barrel of oil. I believe the ISL staff is largely responsible for preventing many of the native peoples from being herded onto reservations or being wiped out.

Ruth Andberg
Anoka, Minnesota

Taking the Message Seriously

FRIENDS: I hope people are reacting well to your message and putting it into practice. Perhaps people who used to laugh at the "traditional" ways of living may take those ways a little more seriously considering the situation now — the situation that is facing more people has always been with us, but now people can no longer be ignorant of it. People cannot keep taking and taking and never replenish that source without some bad effect.

There are many who have grown up in societies that encouraged wasteful habits of living and know of no other way of living. But perhaps now they will listen, because they are faced with very strong examples of what that type of living produces.

Marie Hermanson
San Antonio, Texas

On Asia's "Real People"

NOTES: Many times you have printed articles on the fate of native peoples in South America, Australia, Africa, and even the Pacific Islands. But you have hardly touched on what is going on in the Asiatic mainland. Any over-all story on the treatment of native people in Asia would certainly have to deal with the treatment of native minorities in USSR and China as well. Many people have the mistaken idea that the "socialist" countries treat their native minorities in a more magnanimous manner than the capitalists.

Charlie Colcord
New York, New York

(People with knowledge on this subject and willing to write on it to NOTES, take notice. The Editors)

Warning Signals from Chile

NOTES: September 11, 1973, should serve as a clear-cut warning to all of our people. The overthrow of the Popular Unity Government of Salvador Allende of Chile did not come unexpectedly — and yet there was no report in the world press about the need for immediate solidarity with the Mapuche. No one felt the need to come to the assistance of a minority, the men of the soil.

It so happened in August, 1973, that throughout the Chilean provinces of Cautin, Bio-Bio, Malleco, Aranco, Valdivia, and Osorno, bands of fascist killers were putting to death Mapuche men, women, and children. Raiding the town of Temuco in the same way that the settlements of our people have been attacked for centuries, these sanguinary tyrants butchered and burned every Mapuche in sight. All day long, the Chilean air force flew helicopters above the town with Mapuche leaders hanging from underneath. They would either be smashed against trees, large rocks, or buildings, or simply dropped to death. Others were rounded up and shot down in cold blood.



Daughters of Mapuche landowners were handed over to commanders of the troops and leaders of the fascist Patria y Libertad to serve as objects of rape and perverse persecution before being killed.

This was two weeks before the military decided to wipe out the Allende government and its followers. And still today, the Mapuche are being terrorized, tortured, and murdered.

Why were the Mapuche chosen as the starting point for ouster of the Unidad Popular? The answer is that the Great White Father knew there would be no great outcry, no international protest for the liquidation of native people is everyday practice all over the world.

We are considered to be things of the past in a dynamic new world — a world of materialist possession, of rob and kill. They consider the benefits of economic development and advanced technology worth the price of further killing our Mother Earth.

Great White Father knows very well that his followers look down on life-styles strange to them, for he has taught them to do so. He knows that industrialized civilization, caught up in tinsel, chrome, and other gadgets does not realize the need for spiritual guidance that can be taught by our life-style.

We must all walk the path on which we meet with our brothers and sisters, the path on which we find unity of power, justice, and peace.

Billy Mullis
Germany

The Naturalness of Life

NOTES: There are those of us who are undeniably white — but who feel a strong kinship with the real Americans. We cannot dissolve into the white society because we are in harmony with the universe and with ourselves. We have somehow retained the naturalness each individual receives with life — regardless of being brought up in the white ways. And because of this retention, we reject our "heritage" and return to the loving arms of the earth.

We lack strength because we lack tribal teachings and awareness. But we are here. And we know we will not pass away in the white man's destruction of himself and his society. Reading words written by others who understand the true meaning of existence brings joy to me.

Barbara Cataldo
Boulder, Colorado



Alcohol: A Physical Intolerance

NOTES: There is increasing evidence that the Indian people react to alcohol for a reason of physical intolerance. I noted with interest your coverage of Dr. John Ewing's work at the University of North Carolina [in your last issue, page 29]. The great concentration to date re Indian alcoholism seems to be on the emotional, social, and cultural aspects. These, to be sure, are significant. However, unless consideration is given to the physical problems, all programs of a social or cultural nature can hope to achieve but limited success.

Even after a person stops drinking, metabolic changes persist. They do not disappear or change simply because the person stops drinking. If programs for rehabilitation do not take these points into consideration, the drive to return to drinking may far exceed the impact of rehabilitative methods along the lines of social and cultural assistance.

The general health status of the Indian is deplorable from figures that have been compiled. The diet that is consumed is inadequate and inappropriate to a people who were until recently a hunting culture. These factors have great significance, and can, I believe, open up the possibility for great improvement in the total Indian health picture and influence positively to alcohol problem as well.

The problem has excited the interest of this Foundation and its membership and we are ready to help in every way to unravel this problem which has been occasioned by the introduction of the White Man's way of life to the Indian people.

Your publication is first rate!

Mrs. Marilyn Hamilton Light, Executive Dir.,
Adrenal Metabolic Research Society of the
Hypoglycemia Foundation, Inc.
POBox 98
Fleetwood, Mt. Vernon, N.Y. 10552

Inspiration & Critical Thought

FELLOW BEINGS: We work in a small but hopefully meaningful way in advocate anthropology toward the liberation of all people, oppressors and oppressed alike, though increasing awareness of individuals as self-affirming creators of the human world. **AKWESASNE NOTES** — and especially the last issue — provides the kind of periodic inspiration and critical thought that is much needed in the educational resources of our society.

NOTES is one of the few examples of mass communication that admirably combines advocacy with readability and sufficient attention to detail in a manner that helps readers/learners to better communicate a variety of important issues to others. We frequently use **NOTES** to draw attention to the limitations that other educational resources (schools, mass media) place on our awareness of human ideals and crucial events, as well as to document our research on the cultural aspects of ethnic power articulation.

We remain friends in spirit,
Walter and Margarita Smith
Austin, Texas

Anthros: Waiting for Copernicus

NOTES: I have read *The Morning of the Magicians* by Louis Panwels & Jacques Bergier, translated from the French by Rollo Myers (Stein & Day, publishers, N.Y. 1960).

This age is like the age of Copernicus, whose 500th anniversary was celebrated this year with exhibitions and so on. Copernicus, born February, 1473, is regarded as being the founder of modern astronomy. He worked out his theory that the earth was not the centre of the Universe. The Church declared the work erroneous in 1616, as being contrary to Christian Scriptures, but nonetheless, the new idea took hold. It did take 150 years from the time of formulation for the theory to be generally accepted.

Anthropology is awaiting its Copernicus. Before Copernicus, the Earth was the centre of the universe, and for the classical anthropologist, the European Civilization is the centre of all human thought in space and time.

Sir James Frazer was knighted in 1914 for his great contribution to anthropology, and that was not so long ago, but his views seem remote now. The authors make this point: "Sir James Frazer's *Golden Bough* is a standard and authoritative work containing a description of the folklore of every country. Not for a moment did it enter his head that he was dealing with anything but some touching superstitions and picturesque customs. . . Sir James Frazer, confident of belonging to the only civilization worthy of the name, refuses to envisage the possibility of 'inferior' people possessing technical skills which, though different from our own, are nonetheless real, and his *Golden Bough* is like one of those illuminated maps of the world designed by artists who only knew the Mediterranean and used to fill up the blank spaces with drawing and inscriptions: 'Here is the Country of the Dragons'."

The author points out that the ideas on which the "modern civilization" is founded are outworn. If all the Indians get this straight, that what looks shiek and efficient in the white man's civilization is outworn and past its prime, then they will not suffer so much pain but will build on old heritages.

Ruth Bluger
Ottawa, Canada

Writing to No One At All

NOTES: I wrote a letter to you a while back and I have not heard from you, leaving me to wonder if I am writing to no one at all. Maybe the paper no longer exists and my letters are not being received by anyone.

Dorothy Johnson
Pollock Pines, California

(We are sorry that we are often so short of people to do the many things which are expected of us that even urgent letters go unanswered sometimes. We continue to try, and letters do go out in spurts whenever we are able. But all letters are carefully read, and provide the nourishment we need to keep up the pace. Please keep on writing, everybody. The Editors)

The Spirit That Lives & Can't Die

BROTHERS AND SISTERS: The two pieces of literature that have affected me the most and touched me the deepest in the last year have been *Seven Arrows* and your own publication, especially Gayle High Pines' article on the "Non-Progressive Great Spirit". Having studied metaphysics and other manifestations of religion for the past six years, these articles and books have seemed to display the most cohesive and integrated "life view" that I have come in contact with in my short life on earth.

[Recently, the *White Roots of Peace* were on the college campus at which I work] and I was given a glimpse of the spirit that still lives and can never die among all Indians. I wish that sometime in my life, I might be able to contribute to that spirit in a way that would benefit your people and bring about a lasting peace among all people.

Rick Melby
Lutz, Florida



Faces In The Spirit's Dreams

NOTES: Please put my name and address in your paper and tell all of my sisters and brothers to write to me here at prison and to send pictures of themselves so that when I talk to the heavens, I shall lay their pictures beside my bed while I pray, and as I sleep, I will show the faces and I will write to those whose faces show up in my dreams from the Great Spirit.

William David
POBox A90765
Repressa, California 95671

Help from The People is Needed

BROTHERS AND SISTERS: I am writing you in hopes that someone among you will help me. My problem is not a simple one. don't need money, books, or any material things — I need spiritual guidance.

I have the same wish most people have — to be accepted. I can't understand why this is so hard to get. You see, I am half white and half Indian. My father left the Mescalero reservation in New Mexico, changed his name and tried to find happiness in a white-oriented society. He married a white woman, and raised five children in a little town called Belen, New Mexico.

I grew up with the knowledge of my blood mixture, but I am determined to find a place where I can be whole. I took after the Indian Way because it is what I believe in. My father didn't approve, and I think I know why — because he didn't want his children to go through the same suffering that he has endured. I remember when I left home, it was the first and only time I have seen him cry. He said, "You have not picked an easy road to travel, my son, but you have filled my heart with gladness and a hope for our people."

But now, it seems, all I'm receiving is ridicule. Have the hearts of our people become like the whites? Are our own people branding their own kind and making them seek isolation? I would rather be dead than live with white contempt and lies.

Please print this letter, for I have to find an answer. Please, my brothers and sisters — do not judge so quickly. You might be tasting your own blood.

May the Great Spirit watch over you. Ysun be with you.

SP/4 Michael Lunas Hatfield 311-54-7469
Co. G, Sch Bde USASCS
Ft. Monmouth, New Jersey 07703

Preparing Minds for Betterment

NOTES: We are writing this letter to thank you for your constant correspondence. And for the other literature you have sent us.

We here at the California Rehabilitation Center, Norco, have been seeking people who will send us literature, so that we may prepare our minds for our betterment.

We are few here at the center, but we are dedicated to our cause. In the past, our numbers were few, but this did not stop our fathers in believing, and we are not going to give up and die in shame. We are hoping that other native people will read this letter and contact us.

Lloyd Rodriguez, Secretary
American Indian Culture Group
POBox 841
Corona, California 91720



From the Brothers at Kansas Pen

BROTHERS: Thank you for the book. Thanks to your interest and help, we are slowly building up quite a library.

We would like to officially inform you and all our Brothers and Sisters that on the evening of March 21, the Native American Indian Cultural Group here at the Kansas State Penitentiary conducted its elections. The new officers are: Chairman Eldon Masqua, vice-chairman Clifford Masqua, treasurer James Jackson, and secretary John LeVier.

We thank you on behalf of the group here for all the support and cooperation you have shown us and all the Brother's in prison across this United States. Keep the faith, and may we one day clasp the hands in the Great Spirit.

Native American Indian Cultural Group
Kansas State Penitentiary
Lansing, Kansas

Answering Reverse Racism

NOTES: I was glad to see some excellent replies in your letter columns to the charges of reverse racism which were made against you. While there is certain to be a lot of hatred against whites in general for the evil things they have done and are still doing in America, both against the people and the land itself, I feel that most native Americans have enough balance to judge people individually by their actions and what they have in their hearts rather than by the colour of their skin or their place of origin.

What I see is a people standing up for themselves, and standing straight and tall and proud, whereas before they lay in the dust, weary and defeated, and allowed themselves to be trampled on by the white hordes. What I see now makes my heart feel good and I know that soon I must join the struggle.

Denis Underwood
England

Anyone Know Robert Revell?

NOTES: Any Southern California tribes people who served with Robert Revell in Korea and Hawaii 1953-57 Charlie Co. 1st Bn. 224 Inf. Regt. please contact me.

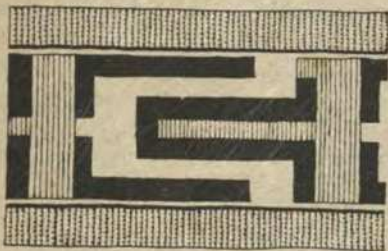
Robert Revell
POBox 5191, Sta. 4,
North Hollywood, California 91604

Just Look At This Country

NOTES: Sarah Underhill has only to look at this country and see what white men have done to it. She must realize everyone in this country shares the collective guilt for what has been done to all Indian people.

One has only to look at leaders like Sakowenonkwaw, Bear Clan Mohawk, to know who is right. What Ms. Underhill speaks of comes directly from the Bible, which says man should conquer nature, which is in opposition to the Old Ways and teachings from the Old Ones. I am white [but] I will continue to follow Indian teachings.

Jacqueline McCaffrey
San Diego, California



Fellowship for Social Justice

NOTES: Wounded Knee is an epic twice told in American experience. The second unfolding now terminates in the trials. The Fellowship for Social Justice of the First Unitarian Church of Los Angeles has taken an obligation to help write off some of the large legal expense involved.

An award to the American Indian Movement will be accepted by Russell Means at a banquet/fund-raiser June 1. Since most donors can not be here physically June 1, you can make it in spirit and substance. If you would join hands with us to be part of this worthy effort on behalf of the American Indian Movement and Aubrey Grossman, courageous San Francisco civil rights attorney fighting disbarment stemming from his defense of the Pitt River Indians, please write your check payable to the Fellowship for Social Justice (Indians).

David Seidman
Fellowship for Social Justice
2936 West 8th St.,
Los Angeles, California 90005

Anyone Know David Greenidge?

NOTES: I am trying to locate my son, who was taken from my place in California twelve years ago. Later, his father remarried and moved - I haven't seen my son since he was five years old; he will be 17 in June. His name is David Abdul Greenidge. Should anyone know where my son is I would like to hear from them or have him contact me.

Sherleen Sheep Woman Hunter
Cardston, Alberta

Anyone Know Isaac Promise?

NOTES: I want Isaac Promise from South Dakota to contact me soon. I need his help on a research project.

Grant Hendrick 131851
POBox 779
Marquette, Michigan 49855

Why Use European Names?

NOTES: In the past, the BIA imposed Anglo names on the Indians, thus diminishing in yet another way a precious heritage. The most effective way to subdue a people's spirit is to deprecate their culture and identity, leaving them defenseless to fight an allegedly superior foe. This pattern has been evident in the subdual of this hemisphere and other parts of the world.

Now with the awakening of oppressed people around the globe has emerged an awareness that culture is a God-given gift more beautiful because of its diversity and something to be protected and treasured. I therefore wonder why so few Indians go by their Indian names? Why do most Indians have European names?

Diana Kennedy
Phoenix, Arizona

Outside World Visitors to Brig

NOTES: I first came about this paper when I was in the brig at Camp Pendleton, California [a Marine base]. Once a week, Steven Stallings and other brothers and sisters who cared about us came to the brig up from the Indian Center to bring us word from the outside. To me and the other Indians there, it was the only time worth looking forward to.

Jack Bawn
Grovetown, Georgia

BROTHER: It was good to have you as honored guests in our home. It is of the utmost importance that the 1701 Friendship Accord between our two Great Peoples (Iroquois Confederacy and Shawnees and their allies) be established once more. This kind of co-operation is needed for all Nations of Native Americans in order to establish the true meaning of the 'Great Peace' once more. Now it is possible, from coast to coast.

Our 'law' is the same, as are our basic goals. The Iroquois and Tecumseh Confederacies stand together at this moment. May the Creator of us all grant that it shall always be so.

The Tecumseh Confederacy consists of previously un-enrolled persons of five native nations who have re-established the original tribal structures, and become United Remnant Bands of those Nations. Our chiefs, clan mothers, and principal persons have been selected by our people in each of the bands. The Walam Olum, including the Midewiwin scrolls & the laws of Tecumseh have been combined with the Great Law to become our code and constitution.

The Nations comprising the Tecumseh Confederacy are looking for their people, and I am asking on behalf of their chiefs that you let our scattered people know who they can contact in order to enroll in the nation of their own background:

Shawnee Nation U.R.B.
J.L. Pope (Tukemas)
318 N. Tacoma St.,
Indianapolis, Indiana 46201
(317)637-2732

Cherokee Nation U.R.B.
Jack Nuckols (Inoli)
POBox 504
South Point, Ohio 45680

Choctaw Nation U.R.B.
S. Brokeshoulder (Kobafal)
POBox 283
Bellbrook, Ohio 45305

Creek Nation U.R.B.
Acting Council
c/o J.L. Pope
318 N. Tacoma St.
Indianapolis, Indiana 46201

Nation of Great Plains Tribes U.R.Bs.
Arapahoe Tribe U.R.B.
Jeanette Willis, Nation's Mother
14 Davenport Avenue
Dayton, Ohio 45427

Sioux Tribes U.R.B.
John Crazy Horse
Route 4, Box 322
Shelbyville, Indiana

At this point I would like to publicly congratulate you and the staff of NOTES for your dedication to transmitting the truth of happenings within the American Indian community to the People. It is a waste and shame that so many others have attempted competition with the NOTES role as an international native newspaper. This is duplication of effort that our people can ill afford.

There are many native cultural magazines, whose main goal is not day-to-day news, but rather the rebuilding and promotion of the Native Americans' religion, culture, and natural lifestyle. The Tecumseh Confederacy publishes such a magazine, TOSAN, and we encourage all native people to subscribe c/o 318 N. Tacoma, Indianapolis, Indiana 46201. Subscription is by donation, averaging \$4.00 per year.

May the Great Spirit continue to bless you in your great work. Onen.

J.L. Pope / Tukemas
Principal Chief, Shawnee Nation United Remnant Band & Tecumseh Confederacy
Indianapolis, Indiana



Lillian Red Wing St. Cyr, who played in the first feature-length film to be made in Hollywood (1913) died at the age of 90 March 13 in New York. She went on to appear in Westerns with Tom Mix and other stars. She was a graduate of the Carlisle Indian School, and after retiring from films, she was active in Indian Affairs.

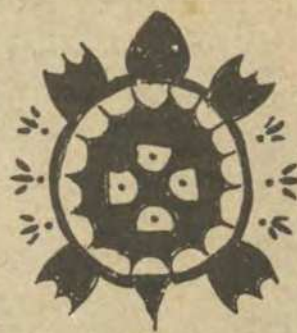
Louie Nine Pipe, one of the last survivors of the Flathead People who were forced out of the Bitterroot Valley in Montana in 1891, passed on May 2. He was 83. Two years ago, he made headlines when he married 23-year-old Vivian Rice Red Wing, an Englishwoman who came to see him after hearing Indian songs he had recorded.

Eddie Quagen, 22, a native brother of Wisconsin, was killed last January in an attempt to escape from prison to obtain long-sought freedom. Those he left behind in their cells say to him now: "You are a brave that will remain in our memory always, Eddie. Walk now with Wakantanka and know that you have won. Our hearts are with you."

News of the passing of Norman Wilson last September 15th has only just now reached us. His constant optimism and positive spirit inspired us in the first year of NOTES' existence and continues with us still. His ready smile and warmth remains with his students and friends of the Antioch-Putney Graduate School of Education where he was a professor.

Wolf Collar of the Blackfeet Nation, sometimes called One Gun, went to the Shadow Land December 15, 1973 after one hundred years of great influence for the good of his people and the continuation of his culture. In his own language, he was called Netanamuks, or after his father, Mikwiakini. He belonged to the Prairie Chicken, Brave Dog, Horn Societies, and as a member of the Old Man's Society, he had seventeen songs. Right to his death he participated and officiated in the ceremonies of these societies, dancing with his brothers and children. He always took part in the Calgary Stampede, from 1911 to 1973 - 63 consecutive summers. However, he was not a "show Indian," and took the responsibility of representing his people before strangers from all over the world with dignity and warmth. Wolf Collar was born in a buffalo-hide tipi, and was weaned on the flesh of that animal. He did not, or would not, speak English. After the manner of his fathers, he prayed at least daily. When he was tired during the day, he would pause and retire to sing his prayer and emerge refreshed. Even during a conference, he would pause to chant a prayer for guidance. Few men are granted the power of prayer that he possessed. His tipi and medicine bundle are put away now. Grandchildren! Will his way of life be gone, or will we see his kind again?

We mourn the passing of Marion Louise Israel, who spent much of her 90 years on this earth writing children's books, including those on the Dakotas, the Apaches, the Chippewa. She supported NOTES and gave us encouragement. Her spirit will be kept alive in the minds of children of the world.



Help Needed in Sioux Center

BROTHERS & SISTERS: We have about 26 native American families here, and about 50 children in school. We face problems of discrimination in our school and in public. We are going to try to ease these problems. We are trying to get a center and some counseling at the school.

Please inform your readers about us. We are in dire need of financial support. Any donations can be sent to Gertrude Brafford, Sec., Black Elk Sioux Center, Box 557, Edgemont, South Dakota 57735.

Georgia Stover, President
Edgemont, South Dakota

Tuscaroras Fighting Lumbee Name

NOTES: The Tuscarora Indians here in North Carolina needs help very much. We are not asking for money - we need help to fight the Lumbee name down.

We are a poor group of Indians fighting for our rights. We have Indians here all for the white man - they are the ones that are helping the whiteman fight the Indian back.

We don't have any Indian culture at all. We need some one to teach us our Indian culture. All we have been taught is the white man way. Our culture was taken long ago, and from then on we been slave under white man foot and that's how it is with us.

Name Withheld
Laurinburg, North Carolina

"Christian" Is A Very Loose Term

NOTES: I am responding to the book review of God Is Red, published in your last issue and, indirectly, to Mr. Deloria, if he is listening.

The term "Christian" is sometimes liberally used when speaking of the Indians that raised up this insane nation on the American continent.

I would hope that you would recognize that all people who claim Christianity are not necessarily Christians, indeed. True or pure Christianity involves a state of being which could never commit the atrocities recorded in the post-Columbus history of this land.

Thus I ask that the label not be wielded like a heavy club with which to smote white America in general. True Christianity is not the enemy - the villain is a cheap imitation. Let's keep our eyes open.

R. Schauffler



Am I Alone & Forgotten?

NOTES: Am I forgotten to all my people?

Like you, I am Indian. I'm 24 years old and I'm doing two life sentences for the deaths of two prison guards here at this prison last July 24 during an escape attempt.

Since that time, I've endured many beatings, many long and cruel hardships. I am now in isolation cell here at the state prison, but my heart is not isolated from my people. Though I am not with you, my spirit rides beside you in the struggle. I have not forgotten you - have you forgotten me?

My life here is very lonely, and I don't receive much mail. You could make my life more pleasant by just writing. May the Great Spirit be with you.

Wayne Raney 132-970
POBox 787
Lucasville, Ohio 45648

Generally, we cannot include unsigned letters. Please include your name and address with letters to the editor. However, we can withhold names at the request of the writer.

My Kind of Guy

I've never dug guys
with cooperative convict smiles
like James W. McCords
or full-blown-colonel-type dudes
who rap on
about all the fish heads
they had to down
when caught dropping
B O M B S
and when I heard about
that CIA snoop
who spent twenty-two years
as a guest of the Mao Boys
for high altitude peeping
it didn't move me
too much
no, my kind of guy
is the Brando
stick-your-Oscar type fella
who realizes that one more gold gimcrack
behind the bar
doesn't bring one ounce
of real happiness
into a world
where you still have
Third World people
who must barricade themselves
in a place
called
Wounded Knee
in order to be
recognized
as
human beings

— Ross Laursen



For the Animals as They Are Our Good Friends

Out here in the middle of everywhere
we're trying to survive
Hear the drumming of the giant crested woodpecker . . .
We been here a long long time
and we remember the old days
Used to go out on the hunt
take an old deer or maybe a rabbit
Weaving our way when the colors were complete
and our paths ran smooth and clear
as winding singing rivers
Out on the hunt we'd cross a cougar's trail
and make a note of the slightest change
The summers were fat and the young ones kicked
around in the dust and we watched
them with pride as they grew stronger
On a rocky cliff we'd lie in the Sun
able to see our whole Elk Earth below
Eagles in the sky, little brother coyote
poking in the swaying grasses
When dusk crept down red through the valley
we'd sing and echo from mountain to mountain
The winters were lean, seemed always to be snowing
Snow belly juncos pick at weeds looking for seeds
Far off somewhere figures huddle round a fire
and the sweet wood smell drifts through the pines to us
Now bobcat howl in the middle of the night
his leg's mashed in a steel jaw trap
Beaver he hide deep and far in the woods
and eagles are nailed to the side of a barn
They won't let us hunt like we used to do
call us savage and push us way up north
little brother coyote he ate a poison meat
now he's frozen in the snow after twisting in a long death
Some of us are in cities behind bars
smelling the air and aching to get out
The ones who carried a sacred secret fire
gone to little islands and the sweet wood only dances there
The balance is broken and the colors are jumbled
we got to somehow get back on our path
But even the rivers are made to wind different ways
through giant pipes and they hide the creek under town
The crows still gossip when the red hush falls
barking to each other in councils in the Sky
I'm starving to death in a strange land
I want to go back to my old Elk mountain home
I'm weak and wounded and they're tracking me down
Remember when my legs were strong and I could
run all day long remember all the colors
back in my mountain home, when they corner me
and kill me remember how a wolf could
run all day long in his Elk mountain home

— Dolly Bird

We People, Cant Think Straight

Got my lil puppy
but all em other dogs
jus chew im up, then he really
boil over, he jus wanna snap
em big mutts, yea but
he comes in wounded
alla time —
Once, you cd look
allaround, 500 miles square
all ours. Now jus 1800 sq
acres, railroad, phonepoles
powerplant & lotsa people.
You try an hunt an you find
an american behind you everyplace.
Getta license, jus 5 duck
this many fish, so many fur —
Army boys took my island
jus for fun, cut my
nets, shot up my steeldrum floats.
Big joke, yea, an me standin
here all alone shoutin
like a lil dog
What for? —
Kids, now
go away. Get education
& never come back. Whos left
to make & save things like
us oldones? Kids don
even save the oil from salmon
to dip cranberries in
anymore —
We people, myself
now we freeze, get sick from
drinkin in american bars
die in the snow afterwards. Or
somebody get hit an run
get too much fire in the stove
& burn up before tomorrow
comes —
An we had Vista.
First time he got lost, yea
it was pretty funny
Second time not so funny
& last time no one even bothered
to go in the woods for im.
We were jus losin too
much time —
Money —
They say govts. good
the money? Whats it fix?
Hows money gonna patch things
up? Yea, money. Its gonna
change our ways. But
hows money gonna put th oil
back on th cranberries?
Tell me, now —
— X.68. Eklutna
John Brandi



child of mine
has never seen eagle
how long has it been Akweks
since you were chased
from the Great Tree
the Standing White Pine
chased and slaughtered by
white devils in bluecoats
chased by Kanatakarias, the Town Destroyer
chased by his left hand, Sullivan
"not to merely over-run . . . but to
wipe from the face of the earth."
child of mine has not
will not go to school
the square grey boxes & bars
his school is the circle
of people holding hands
of animals of mother earth
the circle of grandmother moon
of grandfather winds
child of mine eats corn, beans, squash
& sits in his own small garden
talking to plant people
to bug people
child of mine talks in a beautiful language
speaks better than me this tongue
child of mine he is the bear
& is taught by his kinsmen
the roots & herbs & medicines
child of mine
has never seen eagle
but i wonder now
does he not know the eagle
better than i? — Karoniaktatie

1778 — Capt. James Cook Discovers the Hawaiian Islands (and the Discoverers Discover Capt. James Cook)

in the grey dawn
skimming over fluttering
seas with wings of paleness
with pale wings outstretched
a strange bird of hugeness
carried the god LONO
the god Lono is white
the god Lono has white servants
and out people come with smiles
help aloft rejoicing
to greet the sacred bird
its screaming wings billow
over the fluttering seas
out of the bird's belly
come strange white servants
servants of the icy Lono
Lono towers over the birdbeak
watching
with a stick breathing fire
with a stick breathing death
with a stone stick breathing
Lono brings gifts and takes
all our pigs and fish and
Lono brings a gift of illness
that overtakes our women
swimming quickly to the bird
(taken into the belly, come out
come staggering out and illness
takes hold of their organs and
then it takes hold of ours)
oh
God Lono you are a devil-man
with a face full of
greedy yellow eyes
with ugly sticks breathing
stench and fire
you have the devil powers
and you have stolen more
than our descendants will
be able to retrieve
you have stolen our
future
you have stolen our
children
you have stolen our
spirits
and you have snatched our lives
and you have snatched our
dying bones buried
and you have snatched our
unborn before we have
thought of birthing
snatched away like
a clenched fist
strangles a bird's
breath away
gods don't steal
and so we will spear you
as if you were a speared fish
(gaping mouth-hole gasping
for trapped breath)
as you have taken away
the resilience of our people
we will grasp the breathing
and wrench it from you
auwe
auwe
we will wrench your breath away



(in 1778, Capt. Cook, known for
only a while as the "Great God Lono"
was murdered by angry natives
we are not completely sure
of the exact cause of their anger
it seems to have been
an altercation involving

a theft of some kind
— Pineapple



for America-
I have heard your name
mentioned in my youngest
dreams-
In nights I slept on
hardwood floors
cold and hungry
for your
voice-

—Walking Behind

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